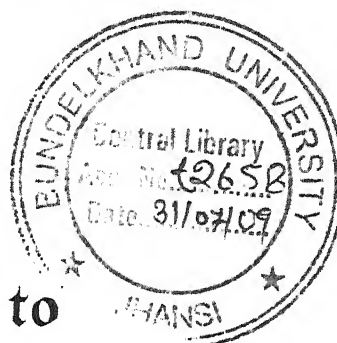


A Sociological Study of
PROBLEM OF CHILD LABOUR IN
URBAN AREA OF JHANSI, U.P.



Thesis Submitted to
Bundelkhand University, Jhansi
for the degree of
Doctor of Philosophy
in
SOCIAL WORK

N.N. Awasthi
Supervisor

Dr. N.N. Awasthi
M.A. (Eco.), M.S.W., D.H.E., Ph.D.
Head of Department

Payal Sahu 11/08/05
Researcher

Payal Sahu
(M.S.W.)

Dr. B.R. Ambedkar Institute of Social Sciences

BUNDELKHAND UNIVERSITY, JHANSI (U.P.)

AUGUST, 2005

Dr. N.N. AWASTHI

(M.A. (Eco.), M.S.W., D.H.E., Ph.D.)

Head of Department

Dr. B.R. Ambedkar Institute of Social Sciences
Bundelkhand University, Jhansi (U.P.)



Phone : 0517-2480116 (R)

Certificate

Certified that **Ms. PAYAL SAHU** has worked under my supervision and guidance for her Ph.D. (work) entitled "**Problem of Child Labour in Urban Area of Jhansi (U.P.)**" The work is her own and thesis satisfies the condition laid down in the (statutes). She has put in the required attendance as per rules laid down.

I further certify that the data used by her have been collected by herself through field investigation

The thesis fulfills the regulations governing the submission of thesis for the degree of Ph.D. (Social Work) laid down in Ph. D. Ordinance of Bundelkhand University, Jhansi (U.P.).

Date : 11/8/05

N.N. Awasthi
(N.N. AWASTHI)
Supervisor

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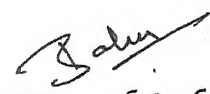
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Place: Jhansi


(Payal Sahu)

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PREFACE

There have been a spate of interventions in the recent past to counter the challenge posed by the problem of child labour in India. It has evoked significant responses among all concerned social partners ranging from Government initiatives, action programme by International agencies, Trade Unions, NGOs and other stakeholders. The problem in itself is so gigantic and multi-facted that only a holistic understanding of its complexities would enable us to formulate policies and design action programmes. Though the problem of child labour has been well researched, the academicians, policy makers as well as social activists have always expressed the need for a document, which may provide an overview of the problem and initiatives to tackle the same.

Children continue to work in occupations and processes that are plainly dangerous and hazardous. They are generally dispersed, isolated and powerless and are very often excluded in the counting and accounting process. This presents a situation where existing child labour face invisibility. The incidence of child labour has, thus, not reduced in reality, but more and more working children are now going into oblivion.

In all the civilized societies all over the world system of child labour is condemned as a social evil but the fact in the system is prevalent on a large scale in a country like India. It is noticed that in

recent times our society is showing some signs of awareness about this social evil.

The common understanding among labour class is more working hands means more income for a family. But this calls still could not decide, whose hands these should be ? They are not understanding that small hands are depriving of big hands from employment. It made us realised that there is a need of structural changes in the society.

Sending children to work means depriving them the opportunity to go to school. If a child will not go to school, he/she will grow as illiterate person. Vulnerable for all sorts of exploitation. If children will go to school then automatically number of child labour will be reduced which will result in generating some employment for Adults.

The practice of child labour is now being considered as an example of most inhuman form of violation of human rights. Both international and national agencies have been expressing their concern in many forms- from generating awareness to devising strategic intervention to erradicate the practice.

Every individual is the part of this society and Sociology is the study of Society, behaviours of individuals in the society, their needs, expectations pertaining to the society which can be family, work place to which he/she interacts. Thus this study was of Sociological in nature, as it covered socio-economic background of individual respondents. The study covered the different areas of

problem of child labour in terms of factors responsible, different issues related to child labour and the perceptions of the respondents regarding legislative measures.

In this study 300 child labours were selected on the basis of availability in different economic activities. These respondents were interviewed to find out information on various social, economic dimensions related to the problem. The schedule was pre-tested before actual survey conducted for the purpose of consistency of information. The schedule was modified accordingly to the inconsistency seen and difficulties faced during its pre-tests.

Besides collecting data through interview schedule the relevant information were supplemented by consulting literature on the topic and related internet sites. The available data were grouped into simple table to elicit findings of the study and standard classification were made to draw the significant conclusions. The data was analyzed in term of percentage.

The whole study was divided into Eight chapters, which are given below:

- 1- First chapter focuses on the Introduction of the topic, Objectives of the Study and Research Methodology.
- 2- In the second chapter review of pertinent studies relevant to the topic undertaken in India and abroad has been done which have got bearing to the present study.
- 3- Third chapter deals with the socio-demographic profile of Respondents.

- 4- Fourth chapter identifies social, economical and psychological factors responsible for child labour.
5. Chapter fifth highlighted the various issues related to child labour.
- 6- Chapter sixth deals with different form of exploitation of child labour.
- 7- Seventh chapter deals with opinion- perception of the respondents regarding various legislation and convention for prevention of child labour.
- 8- Chapter eight deals with Conclusions and Suggestions.

We hope that this effort will help researchers and students to understand the extent of the problem of child labour.

It is also hoped that this work will be of some use to the Sociologists, Demographers, Policy makers and Stakeholders. It gives wealthy of information for anybody who attempts to undertake similar kind of the field investigation in future days to come. The results observed in the study would possibly help the planners and policy makers in organising different programmes, implementing schemes and legislations in the urban area. As valuable information of this type is hardly available for this region of the state where there is requirement of formulating alternatives approaches for different programmes for prevention of child labour.

Date: 11, August 05

Place: Jhansi

(Payal Sahu)

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Chapter-1
INTRODUCTION

Chapter-I

INTRODUCTION

*"Every Child is an experiment an adventure into noble life,
an opportunity to change the old pattern and make it new."*

Dr. S. Radhakrishnan.

Demographers generally agree that by the turn of the century the population of young population in the age group 0-14 years will slowly decline in terms of the total population which will reduce expenditure on consumption, social service overheads, generate net national product and release resources for savings and investment. At the individual and family level, the decline of the young adults thereby increasing their productive capacity.

The phenomenon of working children is invariably associated with poverty and is usually considered to be a by-product of under-development. The highest incidence of child labour is said to be in the poorest countries of the world, and in the poorest regions of those countries. Globalisation, indebtedness and the widening income gap between the rich and the poor countries may also exaggerate the problem. Several studies have pointed out that globalisation does have a negative influence in the short term. Structural policies of adjustments have resulted in many developing countries spending less on basic services such as education.

However, a crucial distinction has to be made between child labour and child work. Child work should be used as the generic term, and should refer to any type of work in any mode of employment relationship. The concept of work, which is a description of a physical (or mental) involvement in a job, may be an activity which, rather than being harmful, is beneficial to the child in its formative socialisation. The concept of labour, on the other hand, should be restricted to the production and services which interfere with the normal development of children as defined by the CRC.

There is a perception that quite a lot of what has been subsumed under child labour, is actually work performed during a standard process of socialisation and not associated with labour exploitation or interfering with the quality of development which the child in the given circumstances could expect.

Towards fulfilling the national commitment of eliminating child labour, the Ninth Five Year Plan is committed to enforcing the ongoing legal as well as remedial measures to eliminate child labour not only by strengthening various instruments that prevent/ combat the problem of child labour but also by ensuring their effective implementation.

Non-availability of accurate, authentic, and up-to-date data on child labour has been a major handicap in planned

intervention for eradication of this social evil. This, however, does not minimise the urgency and importance of drawing up concrete programmes for identification, release and rehabilitation of working children.

Poverty has been identified as a major factor compelling parents to send their children to work. Lack of awareness and educational opportunity and ineffective enforcement of child labour-related laws contribute to the existence and acceptance of this social evil. The improvement in the living, working and economic conditions of the parents is considered crucial to the elimination of child labour. The ultimate objective of the child labour programme is to convert working children into productive and participate members of the society. Success can be achieved only through social engineering on a major scale combined with national economic growth.

India is the world's second most populous country after China, with about 2.50 percent of the world's land area. In our country a child is born every second and a half increasing the countries population in a year. About 9 percent is death rate and 25 percent is birth rate in 2001.

The population of India has been projected on the basis of varying assumptions for determining the likely trends in the fertility and mortality rates by age group and sex - wise. Taking into account the high and low projections one finds that the

difference in infant population may be around 7 millions in 1983. This indicates that problem of infants in relative terms will be smaller magnitude as the years soil by and if we can provide for those that survives proper nutrition immunization, health care and other infrastructure facilities like compulsory primary education for all in the next few years, we shall only then be after to build a firm foundation to improve the quality of life for our children.

Malnutrition inhibits a child's ability to cope with the challenges of daily existence. Severe illness without adequate medical aid in early childhood years can result in a permanent disability. Malnutrition interferes with a child's motivation, his ability to concentrate and interact with the environmental stimuli whatever its ultimate effect on the conditions of brain itself. In most such cases the child is mentally and physically fatigued and finds difficult to be attentive in the class. The problem of malnutrition among pre-school children has certain quantitative and qualities aspects; the former refers to an inadequate supply of foods to meet the energy requirements of the body, while the latter is concerned with the body's need for particular nutrients that are necessary for physical and mental growth, preservation of the body and performance of functions which are necessary for human survival.

Maxini Gorky *"When work is a pleasure, life is a joy when work is a duty, life is slavery"*

Labour is work of the latter type irrespective of the degree of strain involved in it. Labour in the case of the child especially is harmful because the energy that should have been expended on the nurturing of his talent powers is consumed for purposes of bare survival. It becomes a total evil when the lion's share of the value generated by it is appropriated by some one else and the child is left with a fraction that cannot meet comfortably even his survival needs. Child labour thus assumes the character of a social problem in as much as it hinders, arrests or distorts the natural growth processes and prevents the child from attaining his full-blown manhood.

The child works as an individual person without enjoying the benevolent protections of his guardian or parents this work place may be quite away from home and totally alien to its environment, his work might expose him to various health hazards in view of the extensive use of chemicals and poisonous substances in modern industries and the pollutants discharged by them this employer might be unscrupulous and victimising and his working conditions oppressively inhuman. The child might fall prey to the mischief's and machinations of delinquent gangs and anti-social elements. In the absence of strong social — central mechanism the proletarian child may become a waif in

the maelstrom of the in comprehensible urban social forces. The proper case and upbringing of such children, therefore becomes an issue of paramount significance which society and its representative institutions can gloss over only at a great peril.

In the pre-industrial days, the technical expertise in most of the occupation have not reached a level of sophistication which should require setting apart a portion of life for their exclusive acquisition. The knowledge and skills necessary for carrying on the operations of life could be acquired in the very process of growing up, without there being any ostensible, need for secondary institutions and their instrumental aid. In today's world, preparation for adult work roles is a pre-requisite for acquiring the needed material wealth of life. Longer the period of education and training brighter the career prospects. Labour thus becomes an evil, because it deprives the child of one of the most valued essentials of life i.e. his education. High education and training open limitless possibilities for career making and lack of it seals the destiny once and for all. The illiterate and uneducated children of the poor have no alternative but to drudge and do unskilled jobs carrying lowest remuneration's. Illiteracy thus perpetuates the poverty of the poor, generation after generation and they are not able to break through this vicious circle.

Another sociological factor accentuating the visibility of the evil aspect of child labour in the emergence of welfare consciousness on a world scale. The free India, declared itself a "Welfare State and provided in its Constitutions several safeguards to protect and promote the interests of the child with the adoption of a welfare philosophy by the State, the primary of welfare considerations over the economic became normatively established and child labour came to be progressively perceived as antagonistic to the fundamental and development interest of the child. Children are the most vulnerable group in any population and in the need of the greatest social care. On account of their vulnerability and dependence, they can be exploited, ill treated and directed into undesirable channels by anti-social elements in the community. The state has the duty of according proper care and protection to children at all times as it is on their physical and mental well being that the future of the nation depends."¹

"When the business of wage earning or of participation in self or family support conflicts directly or indirectly with the business of growth and education, the result is Child Labour. The function of work in childhood is primarily developmental and not economic. A broad programme of reform concerns itself

1. Preamble to the Children Act of 1960.

with the conservation and cultivation of the definite values to be found in work activities and of the work impulses interest and capacities of children both before they leave school and after they enter employment. It is not confined to merely negative aspects such as the prevention and prohibition of premature, excessive and unsuitable work in gainful occupation. It stresses adequate preparation for occupational life, provides intelligent guidance and aids in proper adjustment children's work then as a social goals is the direct antithesis of child labour as a social evil."¹

While examining the problems of the welfare of children in India, one has also to keep in mind the demographic characteristics of children of scheduled castes and their status. It is estimated that there are about 36 million such children of these 88 percent live in villages of India and the remaining 12 percent in urban slums, shanty towns. As a result of the low level of family incomes children of schedule castes and scheduled tribes suffer from many handicaps such as inadequate housing, poor sanitation, unhealthy and unhygienic living conditions which prove hazardous to the physical and mental growth of children. After six years or so, the child is expected to behave like a mini adult for performance of manual tasks. These are acceptable ways of behaviour determined by a traditional and conservative outlook.

1. Encyclopedia of Social Sciences, Vol. 3, 1930, pp 412-424.

HEALTH :

The parents of these children are unable to provide for proper care, nutrition, education, health and social well-being of their children. Despite these limitation the child is closely dependent upon his family for the satisfaction of his physical, mental and emotional needs. Due to unhygienic living conditions the children are open to several communicable diseases like mumps, measles, small pox, chicken pox, whooping cough and common respiratory ailment and tuberculosis. Lack of environmental sanitation and medical services make these children more susceptible to infections as long as they do not get proper immunization against these diseases. Children more naked and bare footed in disease infested ground and damp fields thus contracting hookworm infestation. Congested dwellings in rural and urban areas make them more prone to sore throat and tonsillitis leading in some cases to rheumatic heart diseases.

The socialization process of these children is further seriously affected by the physical behaviour which more often then not these poor communities perpetuate by their own acts, is a pervasive set of attitudes and expectations associated with their own life experiences. These children suffer from segmental socialization because they are socialized in very segregated, in homogenous groups.

As poverty and malnutrition exist together and form a vicious cycle of poverty malnutrition proneness to disease, the qualitative input of the diet of these children. Acute poverty forces parents to put their children to work on payment basis outside the home early in life.

Poverty and the general atmosphere of neglect and deprivation forces the children out of their families into urban area. Here without family or friends they manage to survive by seeking work at the tender age of 8 to 14 year. They either will join the ranks of unorganized labour employed by petty shopkeeper and eating houses or are forced to join gangs engaged in antisocial and criminal activities. Seldom has a socio economic malpractice, condoned by an uncaring community, been debated for so long with so little effect as what has come to be called 'child labour'. Today even a reliable estimate of its extent in South Asia is not known except that it is evidently widespread in its many forms and is probably increasing with working conditions deteriorating.

It took the international Labour Organisation half a century to establish by 1973, an international norm for minimum age of employment. (Discussed later in this chapter). And these seem to thrive on ever more studies and seminars. Some examples of facile argument : that the household economy would crumble but for the sweat of the little brow; that exports

would shrink if the cheap labour is not made even cheaper by nimble inevitable unless poverty is first controlled; that the exploitative edge of child labour could be blunted by calibrating the law and its administration, according to age of the child labour is a social phenomenon from time immemorial.

These assumptions fly in the face of known facts first child labourers are those who are deprived of their right to grow as children and are forced to work for a living. At the household level, putting children to work, rather than at school, can and does perpetuate poverty from one generation to the next.

It has taken unconscionably long for the concept of 'human rights for all' to strike root; it would be in common interest to recognise its irreversibility in history and consciously to shorten the time to make it happen. Yes, it is idly argued that child labour, as distinct from learning by doing in the home or at school can be so regulated as not so 'Interfere with the child's education or to be harmful to the child's health or physical, mental spiritual, moral or social development' (Article 32 of the 1989 Convention on the Rights of the Child).

By engaging child labour, employers in both the 'organised' and 'informal' sector are depressing wages and depriving adults of work opportunities. And politicians in power can no longer look the other way, when the state reneges on its commitment to reach health and education to each and every child.

The real challenge of organised action rests closer to where the child is, working from a tender age, half hidden from the public eye. In millions of communities they are half hostage over worked and underpaid in innumerable households, in farms as unskilled marginal labour and in numerous low investment, quick profit enterprises related to bricks, carpets, garments, matches, pottery, gems, locks, embroidery, to name the wider known, besides street vending dish-washing, shoe-shinning and such other menial tasks. These are not exactly the conditions in which school enrolment and completion can thrive.

It is important to understand the concept of invisibility among child labour. Children working in the unorganized sector account for nearly 90 percent of the child labour force in the country and most of these children, mostly to be found in remote areas. They are generally dispersed, isolated and powerless. Very often, these children are not included in the counting and accounting process and do not fall within the purview of law and they are known as invisible child labour. They may also be placed in the category of 'No where' children, that is, children who are neither reported to at work, nor in school.

Informalisation, putting out system and sub contracting having become, some of the characteristics of India's industrial production, there appears to be a decline in the incidence of child labour in the organised sector over the years. This process

facilitates capturing more and more cheap source of labour and tapping them right at the place where children reside. Poverty and low income levels of the adult members of the family facilitates further supply of cheap labour. There is also preference for employment of children not only because they are cheap but also because they are docile and uncomplaining the incidence of child labour has thus, not reduced in reality but more and more working children are now going into oblivion partially explaining the reason for the wide gap between the figures on child labour.

In India, those who are in the lowest run of the socio-economic hierarchy consider children as an economic asset. Children form an integral part of household economy receiving training for work and contributing to the family work and income. Thus children working is considered as a part of their upbringing especially in a situation where they do not have land or any other investment to fall back except their children. However, preference of child labours is most common in the unorganized sector where the notion of appropriate work for particular age groups and appropriate time for learning prevails. In such a situation it is essential to distinguish child labour from child labour from child work.

WHO IS A CHILD?

- The Constitution of India : Article 24- "Anyone below the age of Fourteen. "
- The United Nations Convention on the Rights of the child: "Anyone below the age of Eighteen".
- The Child Labour (Prohibition & Regulation) Act- , 1986: "A Person who has not completed his fourteen year of age".
- Justice P.N. Bhagwati, Former Chief Justice of India: "The child is a soul with a being, a nature and capacities of its own, who must be helped to find them, to grow into their maturity, into a fullness of physical and vital energy and the utmost breath, depth and height of its emotional, intellectual and spiritual being, otherwise there cannot be a healthy growth of the nation."
- The Plantation Labour Act, 1951 : "Child" means "a person who has not completed his fourteenth year".
- The Apprentices Act, 1951 : "A person shall not be qualified to be engaged as an apprentice..... unless he is not less than fourteen years of age".
- The Factories Act, 1948 : "No child who has not completed his fourteenth year shall be required or allowed to work in any factory".
- The Right of the Child Convention, 1989, Article 1 : "....a child means every human being below the age of eighteen

years unless, under the law applicable to the child, majority is attained earlier".

WHAT IS CHILD LABOUR ?

- *Encyclopedia of Social Sciences*: "When the business of wage earning or of participation in self or family support conflicts directly or indirectly with the business of growth and education, the result is child labour. "
- *The International Labour Organization (1983)*: " Child labour includes children prematurely leading adult lives, working long hours for low wages under conditions damaging to their health and to their physical and mental development sometimes separated from their families, frequently deprived of meaningful education and training opportunities that would open up for them a better future."

The problem of child labour has been attempted to be tackled by various legislative measures, policy interventions and initiatives by non- governmental organizations as well as by various international agencies working in this area. However, the recent past has been a witness to a renewed vigour to combat this malaise at all levels ranging from the grassroot factors at village and the Panchayat level to those by international agencies, namely UNICEF and ILO (through its International Programme for the Elimination of Child Labour).

Numerous efforts in form and coverage in making a significant dent to solve the menace of child labour in India, there is a general feeling that most of convergence, so necessary for a positive shift in the scenario.

With a view to effectively dealing with the problem of child labour, efforts have to be made to understand its intricacies. This in turn is crucially dependent on being able to comprehend the problem from several angles. In fact, in the absence of proper comprehension of the problem, there is a possibility that myopic actions may be taken losing sight of the nullity- dimensional character of the problem. In such situations, the effectiveness may be lost and may be even retrograde to the welfare of the children involved . A possible and realistic way of attacking the problem may be to examine the situation of working children in detail and the magnitude of child labour in various parts of the country may be seen in correlation with the several on going development programmers in each part of country. This may pave the way for placing the problem in and appropriate perspective and a framework amenable to further analysis and policy formulations.

FORMS OF CHILD LABOUR

CHILDREN ON THE STREET

- Working children who have families but spend most of their time on the streets.

- They earn for themselves and may or may not contribute to the family income.

CHILDREN OF THE STREET

- Working children who have left their families in villages or towns and have migrated to the city.
- They do not have a place to live and hence spend their nights at the railway platforms, bus stations etc.
- They live independently and usually spend all what they earn in the same day.

ABANDONED / ORPHANED CHILDREN.

- Working children without families or whose families have abandoned them.
- They spend their lives on the street without any kind of support and are hence the most exploited and abused of the lot.

UNICEF has classified child work into three categories:

The phenomenon of urban child labour includes street children. These children belong to three broad categories.:

WITHIN THE FAMILY:

- Children are engaged without pay in domestic household tasks, agriculture/ pastoral work, handicraft / cottage industries, etc.

WITHIN THE FAMILY BUT OUTSIDE THE HOME.:

- Children do agriculture / pastoral work, which consists of (seasonal / full time) migrant labour, local agricultural work, domestic service, construction work, and informal occupation eg recycling of waste- employed by others and self - employed.

OUTSIDE THE FAMILY.

- Children are employed by others in bonded work, apprenticeship, skilled trades (carpet, embroidery, brass/ copper work), industrial unskilled occupation/ mines, domestic work, commercial work in shop and restaurants, begging, prostitution and pornography.

WORKING CHARACTERISTICS OF CHILD LABOUR.

TYPOLGY OF CHILD LABOUR

The problem of child labour can be more clearly understood by identifying types of work in which children are employed. spatially child labour could be seen both in rural and urban areas. In terms of work types they are mostly found in operations where their 'unskilled' labour power could be easily tapped and exploited, work - types also vary in terms of gender participation. These are some works where only girls are employed. Similarly there are works in which only boys are employed.

Table - 1 (A) : Type of Child Work

S.No.	Types of Work	Rural	Urban
A.	With the Family (Unpaid)		
1.	Domestic/household tasks e.g., cooking, cleaning, child-care, water, cleaning utensils, washing clothes, poultry, etc.	x	x
2.	Agriculture/Pastoral tasks e.g., ploughing, weeding, harvesting, herding livestock etc	x	x
3.	Handicrafts/Cottage industries e.g., weaving, basketry, leather work, woodwork, household industries in the urban informal sector	x	x
B.	With the Family but outside the Home		
1.	Agricultural/Pestoral Work		x
	(a) Migrant agricultural labour	x	
	(b) Local agricultural labour (full time or seasonal)	x	
2.	Domestic Service		x
3.	Construction work e.g., building, roads, etc.	x	x
4.	Informal Economy e.g., laundry recycling rubbish	x	
	(a) Employed by others	x	
	(b) Self-employed	x	
C.	Outside the Family		
1.	Employed by other	x	x
	(a) tied/bonded/slave	x	
	(b) apprentices	x	x
	(c) skilled trades e.g., carpets, embroidery, brass and copper work		
	(d) industries / unskilled occupations / mines	x	
	(e) domestics e.g., 'maids -of all-work'		
	(f) commercial e.g., shops, restaurants	x	x
	(g) begging	x	
	(h) prostitution and pornography	x	
2.	Self-employed informal sector work e.g., shoe-shining, car washing, recycling rubbish, running errands, setting newspapers etc.	x	

Among the male child workers, though about 78% are concentrated in agricultural sector their presence seems to be quite considerable in the non agricultural sector worth over 20 percent.

Among female working children about 52% are agricultural labourers and in total about 83% are in agricultural sector. Thus concentration of female child workers in agricultural sector is more than that of male child workers. As an implication of this, their presence in non- agricultural sector is only 12.61% The overall picture reveals that more and more female children are engaged in low paid jobs as compared to the male children.

Though the figures given here indicate the incidence of child labour and their occupational classification for the whole country, there is a great variation of the incidence and classification across the states in India.

Children work in different sectors of the economy. Census enumerates only those workers who are engaged in economically productive work. Working children are counted as part of the labour force.

Should children have worked in the organised sector, they would relatively have been better off in view of the regulated conditions and available general welfare measures. But legal restrictions and protections ignoring the practical necessity of child labour, have provocally brought about unintended

consequences: working children instead of ceasing to work, were catapulted into the unorganised sector where working conditions are atrocious and welfare facilities wholly absent. It is the pathetic story of these children that constituted today the essence of child labour as a social problem.

In the organised Sector, match factories in the chemical group, tea factories in the food group and mica factories in the mineral group are. Supposed to be the various of the piece. Among the unregulated factories employing child workers extensively and exploiting them most shamefully are included beedi making, tanning, car carpet manufacture wool ceaning, manufacture of bungal and a host of other unspecified industries the conditions of their working are considered intolerantly loath some and undesirably inhuman. Other industries in which child labour is prevalent are : Wood and cork, furniture and fixtures, printing, publishing and allied trades, leather products, rubber and rubber products, transport equipment and personnel services like laundries, dyeing and cleaning count less number of children are employed as domestic servants, workers in hotels, restaurants, canteens, wayside shops and establishments, hawkers, newspaper sellers, ice-cream or sweet vendors, coolies, shoe-shinners, helpers in services stations and repair shops etc. They are often hired along with their parents in constructions works and take part in

loading, unloading, breaking stones etc. In Delhi alone, it is estimated that about 20,000 children are employed as domestics by the more affluent citizens then there are casual child labourers, pavement dwellers diving is freest abonders fighting and sparing with other little boys, striving to escape the batons of policeman but always ready to can a few paise by cleaning the car or carrying loads.

It is useful to think about who defines child labour as a problem for Government and international agencies it may be a problem because it is against the law or contrary to international standards, for parents and children it may be a problem if these is not enough work, or the pay is not good enough. Children may enjoy work and not see it as a problem at all, until perhaps in later life they want to program and find themselves held back by lack of education, for others work is so hard, so dull, so dreary that the whole of their childhood is a problem because of it.

Children may start working with and for the families well before they might be expected to begin school. They help in family market starts and shops and do many domestic tasks.

In the match and firework industry of Sivakasi, India's children start work as young as four or five years old they are bussed in from rural areas, which gives them a 12-14 hrs day their parents, who need the cash income, also feet the children in learning useful skills. In street work the usual age to begin

being an independent cash as a shoe-shinner for instance, is around eight year of age, although it may be earlier. Many children pay for their own school books and uniforms in this way.

Although the one universal defining characteristics of children is that they have no legitimate political power, there are obviously different stages in childhood. It must make a difference whether a child starts its career on the street at 6, 10 or 14 years of age. There are different dangers involved in working with heavy weights or toxic substances as a toddler before and at puberty and at teen children 'in' the street are boys and girls who work (usually for their mothers) as vendors in the markets or at some other market based economic activity (carrying bags, begging, howling away garbage, and the like) these children retain some contact with their families and live, however loosely, with some degree of parental (or adult) supervision. In Honduras, project Alternatives, interprets the UNICEF distinction.

The basic attributes of work are purpose, plan and freedom. When they are conspicuously absent work becomes LABOUR. Labour assumes an evil character in the case of the child when he is required to work beyond his physical capacity, when hours of employment interface with his education, recreation and rest, when his wages are not commensurate with

the quantum of work done and when the occupation he is engaged in endangers his health and safety.

There are different Important facts :

- Although they have specific problems, street children are a subset of working children even begging and stealing are work from the point of view of the child involved, because there are ways of getting enough money to survive.
- Child domestic workers may be even move alone and suffer from greater abuse. They certainly have less freedom. The nutrition status of children working in agriculture has been shown to be worse than that of street children, youngsters working in factories and workshops suffer untold damage to their physical psychological and intellectual development.

What work do children do?

Children work in variety of situations. Some work as helpers in family enterprises, helping on the family farm or assisting family members in agricultural labour, or giving a hand in a small family owned business such as a shop street stall or workshop. Most of these will be unpaid but be important to the family economy. Sometime their help around the home in childcare on household duties, will make it possible for an adult or older sibling to go out and earn a cash income. Other children

work for wages themselves, usually in small unregistered business, or as casual labour in shops and restaurants.

Some children are self employed in their own right, perhaps as shoe-shinners, car washers or street vendors. Many of these, however, have to hand over some of their earnings to some one.

Who supplies the goods – like newspaper vendors or controls the pitch as in the case of children who park or wash cars and have to pay a premium to someone who controls the territory. Finally, there are parts of the world in which children are sold by parents into bonded labour, often as pledge for a debt or into apprenticeships, which are not always as benevolent as they may seem.

Types of work

Work in human activity, with social physical, economics and personal aspects. It can be understood without taking into account who is working for when and using what tools. It can bring Positive socialisation and skill learning or many years of drudgery and boredom that limit the child's intellectual and educational potential, stunt physical and psychological growth and under particularly hazardous conditions, can result in injury, illness and even death.

In the early 1980s Gerry Rogers and Guy Standing made a list of the activities in which children are involved in order to try to classify different types of work (Rogers and Standing 1981).

- Domestic : Unpaid housework and childcare within the family.
- Non-Domestic non-monetary : Unpaid work with the family for the family's subsistence or for sale tied or bounded labour- Some families lend out their children as workers in order to get a loan or pay a debt. Although it is forbidden by law, it is common in the Indian sub continent and parts of South East Asia and Latin America.
- Wage labour : Working for goods or money children may each a wage alone or as a part of a family group (for ex. on piece work in plantations).
- Marginal activities : This is something of catch all category. It includes such varied occupation as street selling manufacture in small workshops, ragpicking, begging prostitution, stealing.
- Schooling : Some people argue that school is work certainly most children would agree but what the theory claims is that this is economically important work because the children are acquiring the skills the nation needs them to have in the future.

- Idleness/unemployment : Some children cannot go to school because of the hidden costs (expense of uniforms, enrolment fees and books) and also cannot find work. Adults worry about children doing nothing fearing that it will lead to mischief or worse. But it is worth remembering that activities that are workless in an adults eyes may be important for children.
- Recreation and Leisure : Educationalists say that play is a child's work a way of finding out about the world. Exercise and creative pursuits are essential for health at any age. Having fun with children is a good way of finding out about them and their problems, as many projects have discovered.

Rogers and Standing are not talking about sex and parenthood they mean the work that goes into keeping oneself going on a daily basis getting clear, brushing teeth, washing clothes and so on.

Some child work is regarded as essential socialisation for example it is important for children in small areas to learn agricultural skills and learning how to do domestic tasks is equally vital it is often assumed that work within the family or the home is non-hazardous because parents will automatically protect their children. Some families cannot or will not protect their children from the hazards of work, even in the home environment. This may be the result of poverty, of not knowing

about children's development need of neglect or of abusive relationships. It is difficult to draw the line between child work and child labour. There are also variations between societies and sub-groups in societies, in the way people view children's work.

Child labour is harmful. It threatens the child's physical, psychological, emotional and social development because -

- Children are too young to be doing this kind of work.
- the hours are too long.
- Children are too small for the tasks and tools involved.
- They are paid too little
- The work is too hard for a small growing body
- The work is too dull and repetitive and does not stimulate their development.
- The working environment is too dangerous chemicals, excessive heat and noise, dangerous machinery are bad enough for adults worse for developing bodies.
- They are too unfree, there has been no choice about whether or not to work or what kind of work to do. They cannot leave. They lose their self-esteem.
- Legislation and working children

The responsibility for policing child labour lies at two levels; international inter-governmental bodies such as the UN, and National Governments. In practical terms, the organisations that have often been most active in bringing the issue to public

notice are non-governmental organisations either in the human rights field as development aid agencies.

Why employ children?

This assumption is often called the nimble fingers argument. It is based on folk memories of make children being sent up chimneys or crawling between machines in spinning and weaving factories during the 19th century. It is suggested that in carpet weaving and electronics assembly child workers are necessary. They certainly are important, but in labour intensive industries this is for economic reasons rather than because of their supposed dexterity. Recent research has shown that particularly in the case of younger children lack of skill and stamina makes children less productive than adults. However, they are much cheaper to employ and cause few discipline problems children do not join trade unions, are accustomed to obeying adults, can be paid less for doing the same job, know that they are working illegally and cannot complain to anyone:

THE REASONS FOR EMPLOYING CHILDREN

From an employer's point of view, child labour is perhaps the most stable form of labour children do not strike or disrupt production. On the other hand, they are also the easiest to dislodge in times of economic difficulty. Children are the cheapest to hire and the easiest to fire. They do not resist they are physically and emotionally unlivable and are often physically

and psychologically abused, or threatened with the possibility of such abuse (Beguile 1991, p. 9).

Soldiering is possibly one of the most harrowing forms of child labour, forcing the child to accept views of violence and brutality as part of daily life. The work that Richards and his colleagues are doing to try to establish how the children themselves experience this form of work is challenging and, although at an early stage, reflects a growing movement in children's rights to establish at first-hand how the children themselves experience their situation and what its meaning is to them. Just as many children have ostensibly volunteered to fight in order to eat, so many children throughout the world have to work in order to support their families and themselves. The degree of choice or compulsion involved is again difficult to establish. The UN Children's Fund estimates that some 200,000 children a year are trafficked in West and Central Africa as slave labour. This plight was brought to the world's attention when in 2001 a ship suspected of carrying a cargo of 200 child slaves was turned away from Gabon and Cameroon (Robinson and Palus 2001).

New research with child labourers is trying to gain some insight into how they view their work. This approach marks a breakthrough in relationships between adults and children. For so many years there has been worldwide pressure to end child

labour, largely based on assumptions made out of context about what is best for children and about their needs defined on the basis of Northern indoor childhood (Ennew 1995). Thankfully this conceptual and cultural imperialism has been challenged by children's own views of their lives and aspirations, what they are prepared to socially accept and endure and what they think it is important to change.

Signatories to the United Nations Convention on the Rights of the Child, under Article 32, undertake to : protect children from performing any work that is likely to be hazardous or interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

The later Convention proposed by the International Labour Organisation (ILO), designed to target intolerable working situations for children (International Labour Organisation 1996), now prohibits the worst forms of child labour and came into force in many countries in 2000.

Debates persist about what is harmful to a working child's development and what the nature of intervention should be, as it might not necessarily be helpful or indeed in the best interests of the child in particular circumstances. White (1996) cites the case of child workers in garment factories in Bangladesh being thrown out in order to satisfy consumer pressures for child-free

products with scant regard for the importance of work in the economic lives of these children and their families. Bourdillon (2001), to cite a further example, described the situation of three companies that export tea from Zimbabwe and the way they responded to pressures from international buyers on the child-labour issue. One company had a policy of not employing children but rather hypocritically did support small-scale growers, some of whom used child labour in exploitative conditions. This company did nothing for children yet had no problems in selling its tea overseas. The other two companies in their various ways had been combining work with educational opportunities for their child workers. Their eventual decision, in response to international pressure, not to employ children had disastrous effects in that the children lost their work and their educational opportunities. Bourdillon concludes:

"It appears that the less people do for children in need the more acceptable are their products on international markets. To focus opprobrium on child labour instead of child abuse has deleterious effects for children". (Bourdillon unpublished)

Woodhead (1998b) points out: The case for protecting children from hazard and exploitation in every area of their lives (at work, at school or in the family and community) all too often becomes distorted by focusing on particular issues that offend modern Western sensibilities. (Woodhead 1998b, p.125) Even in the UK we are naive about the role of work in some children's lives

(Pettitt 1998). The ILO estimates that there are 250 million children worldwide under the age of 15 who work. Their estimates suggest that 120 million children aged 5 to 14 have full-time jobs and a further 130 million are in part-time employment ranging from jobs combined with education to highly exploitative, dangerous work. Evaluating child labour the ILO identifies the worst forms of child labour as including prostitution, slavery, the sale and trafficking of children, debt bondage and forced labour including the forced conscription of child soldiers (White 2002).

Miljeteig claims that within the framework provided by UN Convention on the Rights of the Child the discussion as regards child labour has become increasingly focused on the exploitative aspects of child labour and how to intervene to prevent such exploitation through, for instance, education, social mobilisation and poverty-reduction activities. Debates about policy making as regards work that is dangerous, exploitative or abusive and about the possible detrimental effects of work on child development have characterised international concern (UNICEF 1997a; White 2001). It has become widely accepted that it is necessary to include the inside knowledge and views of working children and youth and the perspectives of their families if real understanding is to be reached and progress made (Miljeteig 1999; Woodhead 1999b).

Taking account of the children's experience and perspectives is regarded by Woodshed (1998a) as important in

four respects: children have a right to be heard; children's working world has a meaning to them which is important to understand; children are capable of expressing their feelings and aspirations in a context which respects their abilities and mode of communication; children are an important source of evidence on how work might harm their development within their specific working environment, family and, community setting. 'I feel that setting children's experiences also ideally signifies transformation of adult-child relationships in that it makes clear that the adult's views do not dominate and marks the beginning of a process towards reciprocal understanding.

The employment of children is at times seen as an asset to the economy. The argument goes that adults cannot readily do (like making tiny knots in the weaving of carpets) Also, being obedient workers, they are more manageable work force. Children are paid less than adult workers and do not receive even the little social security benefits that adult workers are entitled to.

While the largest employer of children in the agricultural sector, they are also found in large number in urban and rural unorganised sector, sector jobs. Many of the processes and occupation in which they are employed are hazardous. They employed at a young age affects their health, mental and physical growth, their creativity and most of all diminishes their skills. The prevailing social and economic systems are obstacles

to programmes aimed at providing the children with regular schooling. Cultural factors also impede process to education.

The nature of the urban working children is very complex, particularly in India. Because, most of the urban working children are found in unorganized manufacturing sector and is 'Marginal' occupations on the street and unfortunately both these areas have been constantly neglected by the social scientists and other researchers interested in this problem- these areas are truly termed as 'unexplored areas' by social scientists. In fact, many aspects of the problem of urban working children in India have not yet been explored and therefore not known. However, while analyzing the nature of the problem of urban child labour in India, ten kinds of childhood activities could be kept in mind. They are: (1) domestic work; (2) non-domestic work; (3) non- monetary work; (4) tied or bonded labour; (5) wage labour; (6) marginal economic activities; (7) schooling ; (8) idleness and unemployment; (9) recreation and leisure; (Rogers and Standing, 1981f: 2-11). Out of the above activities children in Indian urban areas are mostly found performing activities children in Indian urban areas are mostly pound performing activities of types (1),(5),(6) and (10) as discussed before.

According to ILO, some of the domestic jobs of a child should not be termed as child labour because these form part of the socialisation process of the child. But, such activities become

social exploitation when children are deprived of their rights to play, to learn and to enjoy a normal and healthy childhood. Though some kinds of domestic work of children do not generate direct income, these help adults to go out to work for money. Given the dual urban economy in India and higher rate of rural-urban migration, domestic work of children can certainly be termed as social exploitation for it deprives children of their childhood. Besides, out of family paid domestic work in urban areas takes on a different dimension which can undoubtedly be termed as child labour and which results in 'super- exploitation' of children, particularly of girls.

In urban India, there are maids of all work whom professor Boudhiba described as " virtual slaves (Boudhiba, 1982:46). Similarly, non- monetary work such as construction and mining performed by children are common in urban India. However the state does not recognize this type of activity as exploitative because it does not involve a third party. This is unfortunate because such work also impairs healthy mental development of children.

Sometimes, the absence of schooling in urban areas or inadequate access to schooling, particularly in urban slums , coupled with irrelevant curricula in the school system, compel poor parents to make their children enter urban informal labour markets, often along with self-employed. This form of participation in the urban labour markets creates a distinct

group of stigmatized labour force which perpetuates high levels of social inequality. Such groups in the urban labour market also find themselves permanently caught in the vicious circle of poverty.

Children in urban India are also found in large numbers working in cottage industries. In some cases, the child also works at home as is the case in glassware, beedies, incense-sticks and other such occupations which also affect the physical and mental growth of children.

The problem of child - wage labour in the unorganized urban industrial sector and in the service sector is serious in India. Children work in the most adverse working conditions, are subjected to physical and mental torture and are super - exploited. However, child - wage labour in urban India can be analysed in terms of the following criteria :

- (i) Family or individual basis.
- (ii) Mode of payment, time - rate or piece rate
- (iii) Work within a training component with out;
- (iv) Regular or casual.
- (v) Legal or illegal work ; and
- (vi) Work compatible with schooling or work competitive with schooling. Children working in unorganised manufacturing units and in transport and trade sectors are the most deprived ones. As the employers in these sectors operate in competitive markets- share of their product varies from time to time and,

during the slag season, these children are the first ones to be thrown out of their occupation. Moreover, employers of such units find employing children cheap compared to adults, but, simultaneously, do not make adequate health care and other welfare also impairs the hearing of children. Heat, damp or dusty conditions lead to the transmission of communicable diseases. In most manufacturing units, children are also exposed to toxic substances which adversely affects their health.

The social and economic nature of this problem is thus clear now. Long hours of work in hazardous and unfavorable working conditions breaks down the child's family and social relationships. These poor and often unskilled children become poor and unskilled adults and form a group which deviates from accepted social behavior. This group also perpetuates labour-market segmentation along lines of class, age and sex, sexual dualism, which is created through the paid domestic activities performed by young girls in urban India, perpetuates and will continue to perpetuate the stereo typed sex - roles in our society. Thus, the problem of urban child labour is both a symptom and a cause of extreme poverty of some sections of the population in urban India and is associated with provisions for working children. As their working conditions are not effectively regulated by the state, the employers try to exploit children to the maximum possible.

The most difficult problem is faced in urban India when it comes to document the case of children engaged in marginal activities on the streets i.e. car washing, shoe-shinning, trading, rag picking, begging, petty theft and prostitution.

In fact, the phenomenon of street children is the most visible evidence of a dual society in urban India in which extreme wealth has been juxtaposed against extreme poverty. The problems of street children and migrant working children have been discussed in a separate section. However, in brief, child labour in urban India leads to poor health, makes children susceptible to infectious diseases, creates bone lesions and postural deformity, leads to lost of eye sight, and adversely affects physical and psycho - social development. Street children are more prone to traffic accidents and street violence. Excessive noise in the work place greater inequality in the distribution of income and wealth. However, it should be noted here that all child labour is not the result of poverty in urban India.

Recalling that, in the Universal Declaration of Human Rights, the United Nation has Proclaimed that childhood is entitled to special care and assistance, convinced that the family as the fundamental group of society and the natural environment for the growth and well being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community.

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding, considering that the child should be full prepared to live and individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity.

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the child of 1924 and in the Declaration of the Rights of the child adopted by the General Assembly on 20 November 1959 and recognised in the Rights (in particular in articles 13 and 35), in the international covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the status and relevant instruments of specialized agencies and international organizations concerted with the Welfare of children.

Bearing in mind that, as indicated in the Declaration of the Rights of the child , " the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth,"

Recalling the provisions of the Declaration of social and Legal principles relating to the Protection and Welfare of Children, with special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations

Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration of the protection of Women and Children in emergency and armed conflict.

Recognizing that in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration.

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child.

Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries.

Child Labour – Problem and perspective –

Child labour is not a new phenomenon to our age. It has existed in one form or another in all historical periods. What is new, however is its perception as a social problem, its being a matter of social concern. The conversion of a social and non social situation into a social problem is occasioned by a value change among the legitimizing groups of society. What are the developments that have brought about changes in value – orientations and attitudinal ethos germane to child labour.

In older days, it is true, child was viewed with a tender feeling and treated with warmth, mercy and compassion. But the fund of knowledge about his psycho-physical needs and the

environmental influences in pinning on his growth and development was rather meager. The mechanics and dynamics of child development were not adequately and scientifically understood through in actual practice, the cumulative experience of generation's stood as a great guide. The diffusion of scientific knowledge about the child his learning and socialization processes has generated a view awareness in the major institutions of society as to the relationship the child should have with his miliers, his need objects and his work etc.

In the past, organisation of indian society was rather simple. The social structure consisted of various caste groups which were organised in a hierarchial order. It was an ascriptive and particularistic society which ruled out normatively all upward social mobility. The extended family was another institution that exercised restrictive controls over personal advancement. Family fulfilled the child's entire spectrum of needs. Each for all and all for each was the general norm that governed the family functioning. The concept of individual rights and responsibility was hardly in operation. The family guaranteed maximum security in all eventualities. The child's interest and welfare as of all was well protected in the family. The child learnt adult roles smoothly, almost unconsciously through observation and association. There was no age of occupational entrance. The child was not an individual worker in fact not even the adult. It was the family that worked as a whole.

The child worked under the direct supervision and guidance of his parents or master crafts man this work was a form of vocational training. He was meted out a humane and sympathetic treatment and chances of his exploitation were few and far between. Neither the work culture was oppressive nor the work technology hazardous to his well being this work did not deprive him of the precenditions of his growth; it rather inculcated in him a positive self image by preparing him to assume adult roles in future the social scenario today, however is completely different. The focus of industrialization and urbanisation are sweeping the country and the rural communities are not immune to their influences. The landless labour and artisan classes faced. The landless sing employment opportunities in the countryside are migrating to urban and industrial centres. They are entering in new occupations which may be violation of caste, sections everyone in the family including the child has to struggle in order to subrish. The family members no longer work together in most of the occupations.

HISTORY OF CHILD LABOUR

Child labour has existed for centuries long, because in former days school was only for the well-off people. Children learned the job from their father at a young age. And actually that was some kind of school too, maybe they didn't learn maths and languages but they did learn a job. As some sort of teacher

their dad taught the ropes of the job. But the children didn't have as easy a time as they do now. Those children had to work a few hours a day and watch their dad working. Today children don't have to work if they don't want, only a few small jobs a day, something like cleaning your bed or feed the cat or dog.

During the industrial revolution worse forms of child labour started. Children had to work 6 or 7 days a week, 9 till 16 hours for sometimes only 10 pennies a day. They also had to do a lot of physical hard work, that really wasn't good for them

But children did not appear to be very successful as labourers, and they couldn't handle the physically hard work. More and more children died at a young age because of the heavy work.

A lot of people found that something had to be done against child labour, Samuel Van Houten thought so too. He had a seat in 'De Tweede Kamer' and requested the government to do something about it. But the minister who was responsible for that thought that it was the task of companies to do something against child labour, and not the government's task. That's why he came in action himself he delivered speeches and conventions against child labour. And with success. He received letters from all over the country to support him, the politicians were impressed too. But there still wasn't a law against child labour. That's why he wrote a bill himself. The first law: "It's prohibited to take or to have children under 12 in service." "De Tweede

Kamer' was going to decide if the bill would be refused or passed. With a vast majority it passed. With 64 votes for and 6 against 'Het kindernetje Van Houten' was born. But many factory owners didn't stick to the law, but with the arrival of the 'arbeidsinspectie' 1882 that wasn't possible anymore. If you didn't stick to the law, you risked a fine or even a prison sentence.

From the very inception In 1919, the ILO has been concerned about the employment of children this concern has been reflected in the series of conventions and recommendation adopted by the ILO from 1919 onwards Convention No. 5, "Fixing the Minimum Age for Admission of children to Industrial Employment" is the first theme and the most recent in the Convention No. 138" Concerning Minimum Age for Admission to employment 1973.IPEC is a global initiative the ILO launched in 1992 to support participating member countries in their national efforts to combat and eliminate child labour progressively, while simultaneously creating a world wide movement against it. A new law on child labour called the Child Labour (Prohibition and Regulation) Act, which entered the statute books in 1986, and the framing of a National Child Labour Policy in 1987. The entry of the Government of India into ILO's IPEC programme in 1992. The Government resolved to end and set up of a special fund of Rs. 850 crores (US 250 million) for this purpose.

ILO - IPEC has been in India for almost four years now and has made a significant contribution to the search for solutions to the problem of child labour. IPEC was able to work with various social groups, including NGOs, research bodies these groups have helped IPEC implement over 100 projects across the country demonstrating that Child Labour is not an unchangeable "given" that it is not "inevitable" that given the right environment it is possible to overcome difficulties that stand in the way of the elimination of Child Labour.

In the early 1980, the Government of India became increasingly concerned about the growing problem of child labour NGOs and international bodies also came forward to participate in the movement against Child Labour.

The period 1992-95 marked a turning point in the country's perspective on Child Labour.

India was the first country to sign a Memorandum of Understanding (MOU) with the ILO for implementing IPEC, and is currently targeting the highest number of children under the programme anywhere in the world. It was agreed that the co-operation would be based on 110 conventions, in particular convention No. 138 with the aim of progressively eliminating child labour and increasing awareness of its adverse effects with solutions for its reduction and elimination.

In the industrialised countries people tend to think of the 19th century, of chimney sweeps and children down mines, and

of successful campaign to abolish child labour yet millions of children work now in agriculture, workshops, factories and as domestic servants. Many simply work on the streets, as shoeshiners or vendors for instance, attending school and giving home at high to their families.

Culturally, developed societies are contradictory about children. For centuries western thinkers have argued about whether or not they are form as little innocent angles who must be form in original sin so that adults have to control them and make sure the evil is exercised.

- ◆ Children work for their living and may be supporting parents, grandparents siblings, a partner or even their own children;
- ◆ Smoke (sometimes more than tobacco) drinks alcohol and have sexual relations.
- ◆ Care for younger children of employers of parents and after of their own.
- ◆ Are not living with their own families, but with an employer, a partner, alone or with a group on the street.
- ◆ Do not go to school because they are working, there is no school, they cannot afford it, than parents will not send them it is not worth educating a girl children who work hard, long hours and take a good deal of responsibility are not seen as capable human beings, but pitied because they are not having a childhood.

Extend and Distribution :

According to the 1971 census, the total number of child workers in the country stood at about 10.7 million. This constituted 6 percent of the total population of workers in India in that year. Out of this number, 8.5 million i.e. 79.4% were agricultural labourers and cultivators, and a little more than 8% engaged in live stock, forestry, fishing hunting, plantations, orchards and allied activities 6% of the child labour approximately was engaged in manufacturing and processing services and another 6% in household and other industries. Trade, commerce, transport, storage, communication etc engaged about 2.4% of the total child workers. 1.2 million children are listed as workers in industries, mines, quarries etc. Even though there has been a steep decline in factories in the proportions of child labour from 0.48% in 1962 to 0.05% in 1970, a large number children are unlisted in these sectors because they are employed without even being put in any kind of labour register that could be checked or inspected. A study of available figures shows that in 1968-69, only one in every three children of the 11-14 age group could continue in the school stream. What this means is that out of the 37 million children aged 11-14 years at that time, a clear 25 million were already at work whether in the rural or urban setting.¹ The participation of children in the labour force in the age group of 10-14 years was as high as 28.9% males and 20% females.²

1. The Scandal of Child Labour the Sunday Standard, March 31, 1974.

2. Report of the Commission of Experts on Unemployment Estimates, Planning Commission, 1970, p. 46.

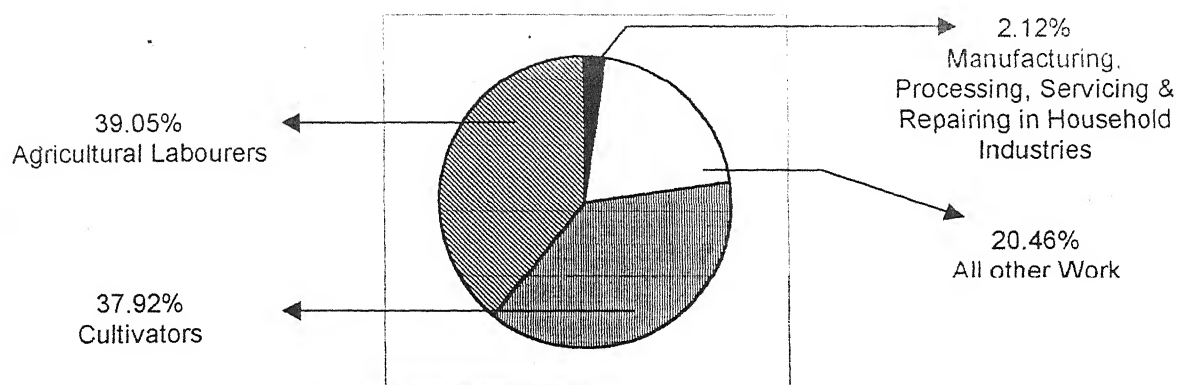
In India, the problem has by and large lost its poignancy in the organised sector of employment but has assumed alarming proportions in the unorganised and unregulated sector. The national commission on labour comments in its report: "On evidence reveals that employment of children is almost non-existent in organised industries. It persists in varying degrees in the unorganised sector such as small plantations, restaurants and hotels, cotton giving and wearing, carpet wearing , stone breaking brick-kiln, handicrafts and road building."¹

The problem may shift from sector to sector but does not disappear under legal prohibition. Thus the legal suppression of child labour in the organised sector has practically banished it from that sector but paradoxically has led to its entrenchment in the unorganised sector. If it is flushed out from the unorganised sector, it may crystallise more extensively in the self employment sector.

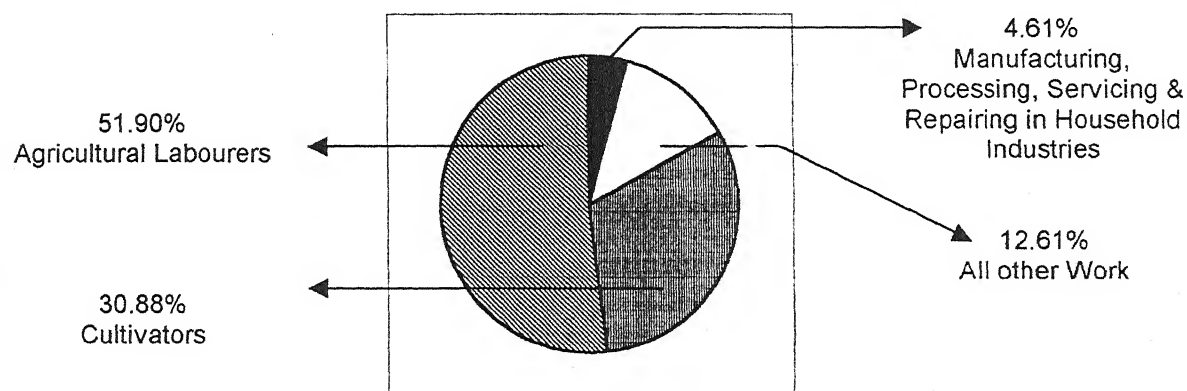
The labour bureau's study also showed that the situation regarding child labour had comparatively eased in factory industries but persisted in small industries and cottage industries such as match manufacturing, cashew nut processing, beedi making, carpet wearing either uncertified or having false age certificate.²

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1. Report of the National Commission on Labour, G/I, 1969, p. 386.
 2. Child Labour in India, Labour Bureau, 1954, p. 8

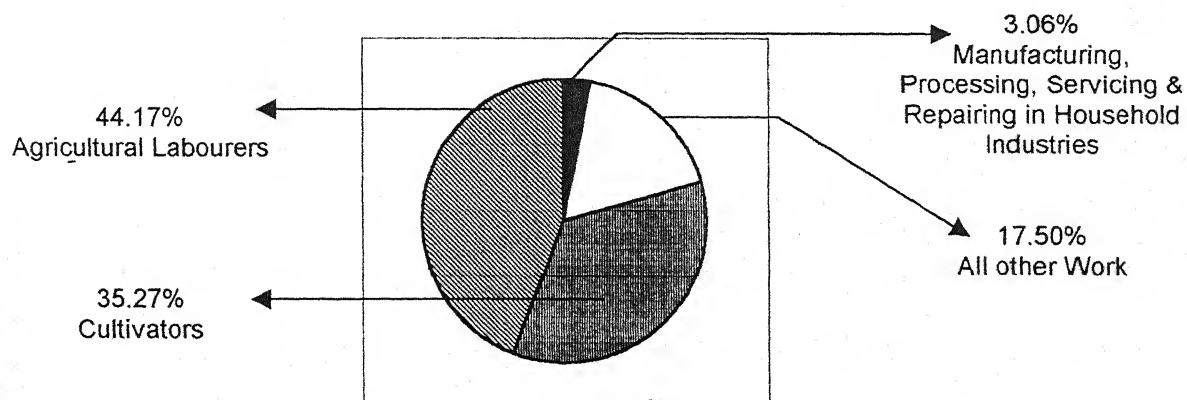
Category wise Percentage of Male Child Workers



Category wise Percentage of Female Child Workers



Category wise Percentage of All Child Workers



The fact of the matter seems to be that under the given dimensions of national poverty the incidence and extent of child labour is likely to remain more or less the same.

According to official figures, Indian has the largest no of Child Labour in the world, estimated at 13.65 million in the 1981 census and at 17.02 will in the NSS in 1987. According to some NGOs however, there could be more.

Magnitude and Distribution of Child Labour

Child labour is a concrete manifestation of denial of all rights to children. Working children are denied their rights to survival and development, education, leisure and play, opportunity for developing their physical and mental talents and protection from abuse and neglect. India has the largest number of child labour in the world and withdrawing them from work and ensuring their rehabilitation is a major challenge facing the country.

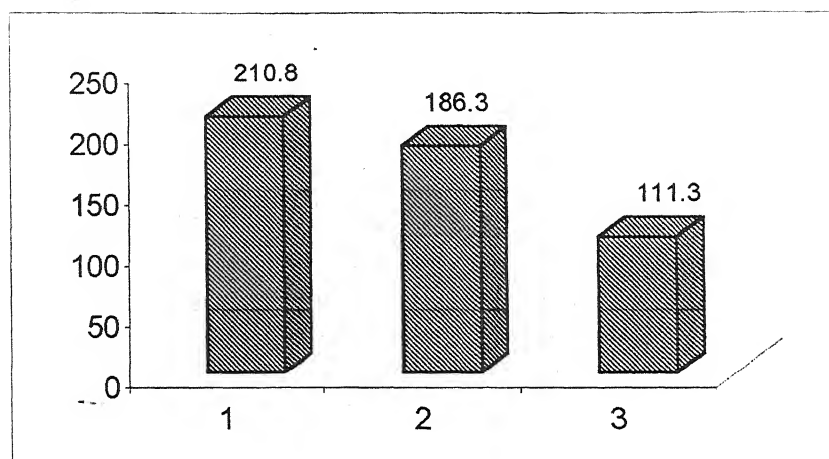
Magnitude of Child Labour: Global Estimates

Children at work in economic activity: It is estimated that there is a total of 211 million children aged 5 to 14 to work in economic activity including unpaid and illegal work as well as work in the informal sector in the world in 2000. This accounts for a little less than one-fifth of all children in this age group this 211 million children, about 73 million working children, are less than 10 years old.

The estimates show that there are no significant gender differences in the global incidence of children at work till the age of 14.

CHILD LABOUR

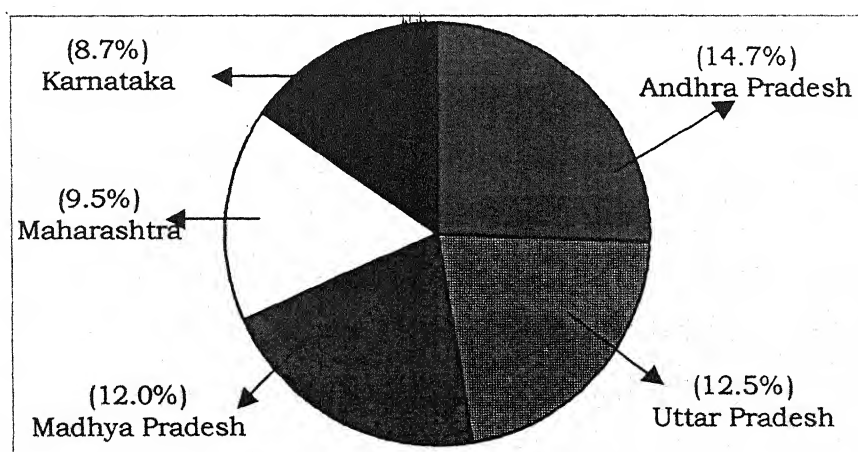
Global Scenario



Source : International Labour Organisation, 2002

In addition, it is estimated that there are about 8.4 million children who are engaged in worst forms of child labour. This includes trafficking 1.2 million, forced bonded labour 5.7 million, armed conflict 0.3 million, prostitution 1.8 million and illicit activities 0.6 million.

State-wise distribution of working children (in percentage)

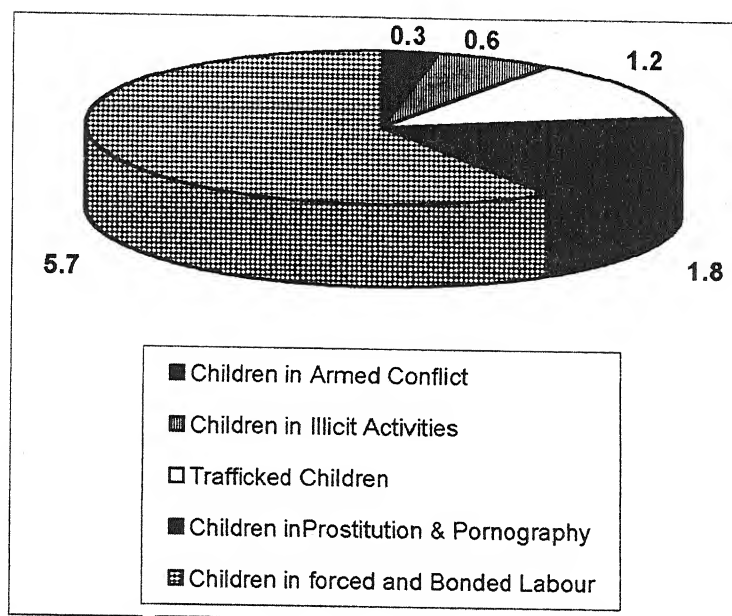


Source: Annual Report, 1999-2000, Ministry of Labour. GOI

WORST FORMS OF CHILD LABOUR

Global Scenario

(In Million)



Source : International Labour Organisation, 2002

Magnitude of child labour in India

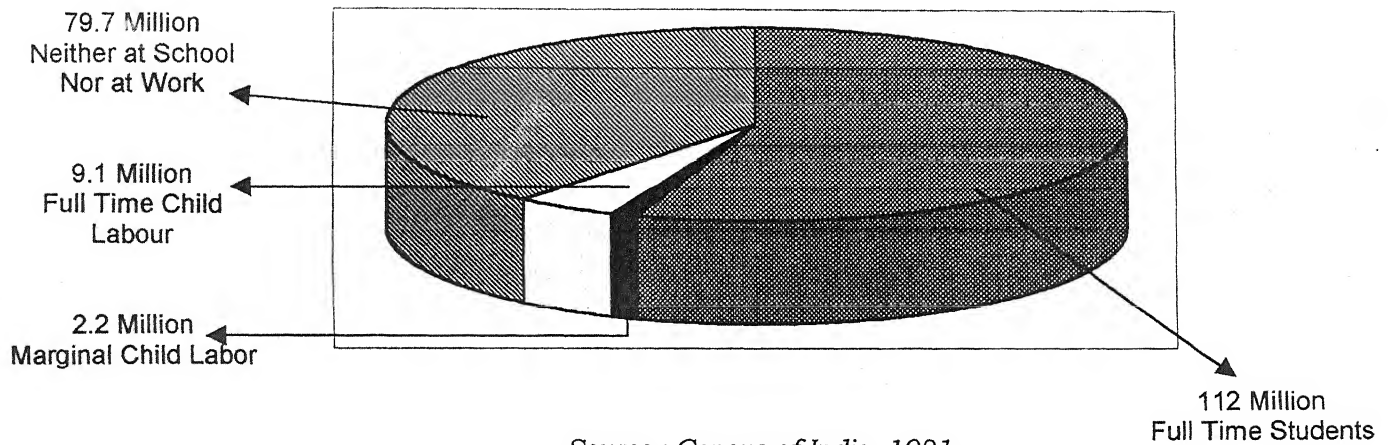
The estimates on the magnitude of child labour in India vary due to multiplicity of definitions, different method of computation and the collection of data at different points of time.

"Nowhere" children

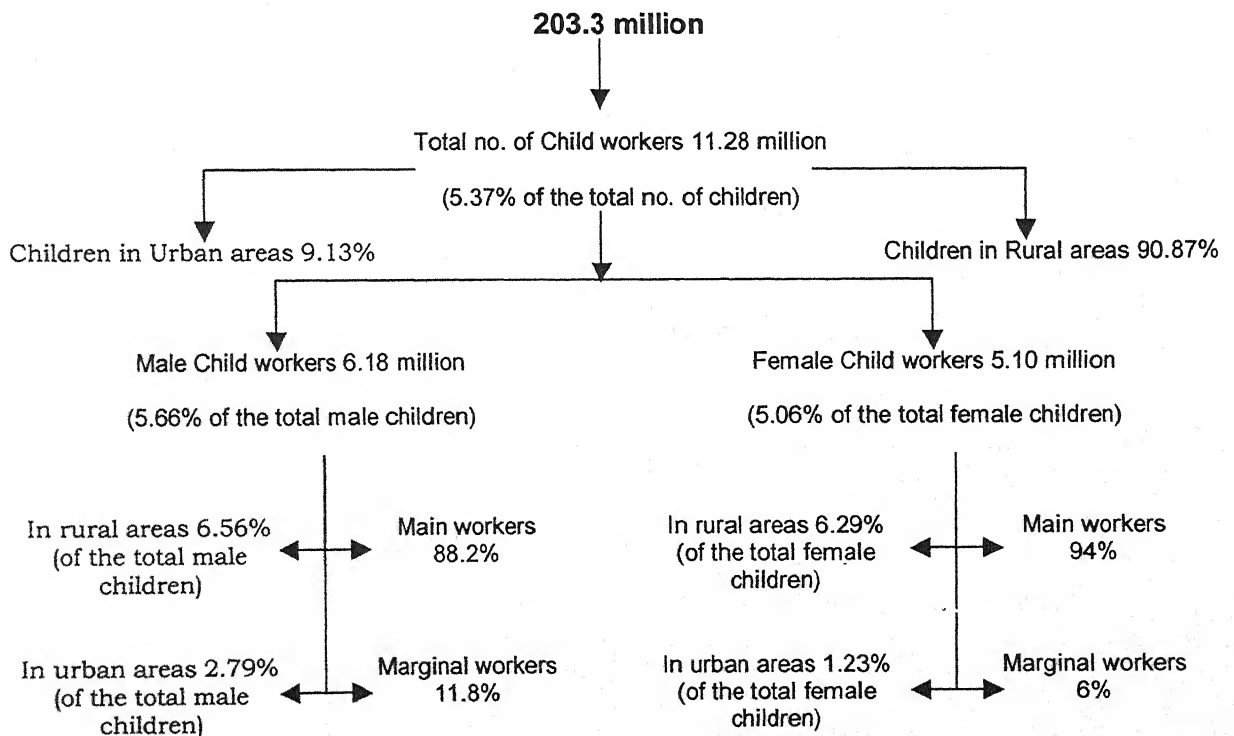
There are about 79.7 million children who are neither enrolled in school nor accounted for in the labour force, who come under the category of "nowhere" children.

DISTRIBUTION OF CHILD POPULATION

5-14 Years-203 Million of which



Total No. of Children (5.14 years)



Child labour: Child labour is a narrower concept which excludes all those children 12 years and older who are working

only in permitted work and those 15 years and above whose work is not classified as hazardous.

It is estimated that of the total children in economic activity, there were about 186.3 million child labourers below the age of 15 in the world in 2000, of which about 110 million are below 12 years of age.

Children in hazardous work: There are 111.3 million children of the total child labour : in the age group of 5-14 who are estimated to work in hazardous conditions in 2000. Children in unconditional worst forms of child labour. In addition to the children in hazardous work it is estimated that there were about 8.4 million children involved in worst forms of work as defined in 110. As Convention No. 182, Article 3, which involves trafficking (1.2 million), armed conflict (0.3 million), prostitution and pornography (1.8 million) and illicit activities (0.6 million).

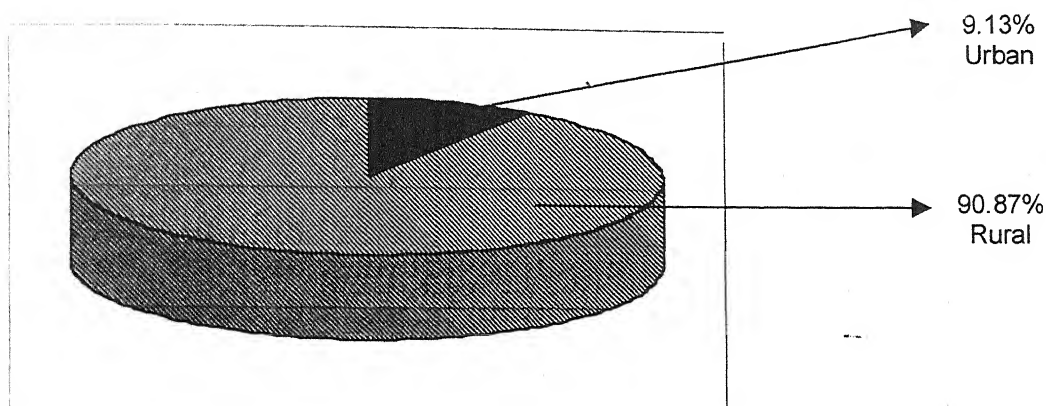
According to the 1991 census, the number of working children was 11.28 million in the country, of which 6.18 million are boys and 5.10 million are girl child labourers.

Child labour in India is much more of a rural phenomenon than urban. There are 90.87 percent of the working children are in the rural areas children are employed in agriculture and allied activities cultivation agricultural labours, livestock, forestry and fisheries account for 85% of child labour.

In the urban areas, manufacturing, servicing and repairs account for 8.74% of child labour, of which , only 0.8% are involved in factories.

RURAL URBAN DIVIDE

Nearly 90% Of The Working Children Are In Rural Area



Another important source of data to estimate the number of working children is the data on children out of schools. As per the estimates for 1995-96, there were 173 million children in the age group of 6-14 of these 110 million children are estimated to be out of schools. Of the 110 million children, 60 million are girls (*Source Government of India 1995-96 estimates MHRD, NCERT, and SAILS Provisional statistics*).

The distribution of child labour in various states appears to indicate certain correlation States having a larger population living below the poverty line have a higher incidence of child labour. Similarly, higher incidence of child labour is accompanied by high dropout rates in schools.

The incidence of child labour is partly linked to the level of socio-economic development of an area and partly to the attitude and approach of parents of the children and employers and socio-cultural compulsions.

India has the largest child labour population in the world in terms of absolute numbers. But the proportions of working children to the total labour force is lower in India than in many other developing countries. According the 1991 census, the total working population in the country was 314 million; out of which the number of working children was 11.28 million, which works out to be only 3.59 %.

For the year 2000, the ILO projected 13,157,000 economically active children, 5,992,000 girls and 7,165,000 boys between the ages of 10-14, representing 12.07% of this group.

As many as 100 million boys and girls are believed to be working in homes and factories across India, many under conditions akin to slavery.

In December 1999, the domestic media reported that child labourers were begging sold in an organised ring at the annual Sonepur cattle fair in Bihar.

Some NGOs estimate that the number of bonded labourers is 5 million persons. However, a report released during the year, Human Rights Watch estimated that 40 million persons, including 15 million children, are bonded labourers. The report notes that the majority of bonded labourers are Dalits, and that bondage is passed from on generation to the next.

There are no universally accepted figures for the number of bonded child labourers. However, in the carpet industry alone, human right organisations estimate that there may be as many an 300,000 children working, many of them under conditions that amount to bonded labour.

Total Population, Total workers and Work participation rate in the age group 5-14 : 2001

Sl. No.	State / Union Territory	Total Population			Total Workers			Work Participation Rate		
		Persons	Males	Females	Persons	Males	Females	Persons	Males	Females
1.	2	3	4	5	6	7	8	9	10	11
	Uttar Pradesh	47201660	25130545	22071115	1927997	1195552	732445	4.1	4.8	3.3
1.	Saharanpur	813777	438399	375378	20253	15406	4847	2.5	3.5	1.3
2.	Muzaffarnagar	1001500	538708	462792	56388	34956	21432	5.6	6.5	4.6
3.	Bijnor	914349	482182	432167	23268	16399	6869	2.5	3.4	1.6
4.	Moradabad	1143561	614333	529228	56458	39538	16920	4.9	6.4	3.2
5.	Rampur	591811	315453	276358	23494	17401	6093	4	5.5	2.2
6.	Jyotiba Phule	445373	237983	207390	16452	10126	6326	3.7	4.3	3.1
7.	Meerut	827678	443096	384582	21582	14473	7109	2.6	3.3	1.8
8.	Baghpat	320255	172817	147438	11059	6658	4401	3.5	3.9	3
9.	Ghaziabad	900196	486740	413456	18647	12623	6024	2.1	2.6	1.5
10.	GautambudhNagar	326027	177361	148666	7349	4742	2607	2.3	2.7	1.8
11.	Bulandshahar	825503	445104	380399	85296	46410	38886	10.3	10.4	10.2
12.	Aligarh	864640	466688	397952	28440	18302	10138	3.3	3.9	2.5
13.	Hathras	385098	206825	178273	10319	6811	3508	2.7	3.3	2
14.	Mathura	596888	324414	272474	42110	22895	19215	7.1	7.1	7.1
15.	Agra	1048115	572407	475708	30544	21449	9095	2.9	3.7	1.9
16.	Firozabad	596453	324597	271856	14974	10337	4637	2.5	3.2	1.7
17.	Etah	816610	444977	371633	25265	17855	7410	3.1	4	2
18.	Mainpuri	458173	248070	210103	10533	7595	2938	2.3	3.1	1.4
19.	Budaun	918976	506504	412472	34591	27407	7184	3.8	5.4	1.7
20.	Bareilly	1069294	571182	498112	54705	37616	17089	5.1	6.6	3.4

21.	Pilibhit	487217	258519	228698	13751	10558	3193	2.8	4.1	1.4
22.	Shahjahan	741587	401057	340530	22238	17223	5015	3	4.3	1.5
23.	Kheri	915623	490163	425460	51706	37893	13813	5.6	7.7	3.2
24.	Sitapur	1015093	045923	469170	39965	29975	9990	3.9	5.5	2.1
25.	Hardoi	965262	522673	442589	37344	26438	10906	3.9	5.1	2.5
26.	Unnao	759225	399125	360100	27241	16754	10487	3.6	4.2	2.9
27.	Lucknow	912521	478149	434372	23985	16658	7327	2.6	3.5	1.7
28.	Rai Bareilly	804719	420244	384475	28648	15873	12775	3.6	3.8	3.3
29.	Farrukhabad	450386	243576	206810	16793	11671	5122	3.7	4.8	2.5
30.	Kannauj	407387	217141	190246	17909	10743	7166	4.4	4.9	3.8
31.	Etawah	367369	197125	170244	6522	4778	1744	1.8	2.4	1
32.	Auraiya	325391	173526	151865	10446	6678	3768	3.2	3.8	2.5
33.	Kanpur Dehat	426094	226206	199888	15891	10383	5508	3.7	4.6	2.8
34.	Kanpur Nagar	1015726	537709	478017	33448	23075	10373	3.3	4.3	2.2
35.	Jalaun	384698	206165	178533	12187	7566	4621	3.2	3.7	2.6
36.	Jhansi	438923	234711	204212	12244	7028	5216	2.8	3	2.6
37.	Lalitpur	267019	143576	123443	11437	5677	5760	4.3	4	4.7
38.	Hamirpur	285688	153046	132642	8016	4595	3421	2.8	3	2.6
39.	Mahoba	189194	101653	87541	6789	3638	3151	3.6	3.6	3.6
40.	Banda	425496	228918	196578	19780	10651	9129	4.6	4.7	4.6
41.	Chitrakoot	221406	118801	102605	10290	4957	5333	4.6	4.2	5.2
42.	Fatehpur	649903	342701	307202	28639	16084	12555	4.4	4.7	4.1
43.	Pratapgarh	797541	414080	383461	28125	14486	13639	3.5	3.5	3.6
44.	Kaushambad	386137	205655	180482	19499	10167	9332	5	4.9	5.2
45.	Allahabad	1374513	730287	644226	68735	36349	32386	5	5	5
46.	Barabanki	739667	391932	347735	40150	25835	14315	5.4	6.6	4.1

47.	Faizabad	581770	304513	277257	37674	20940	16734	6.5	6.9	6
48.	Ambedkar Nagar	585558	303386	282172	20769	11653	9116	3.5	3.8	3.2
49.	Sultanpur	912568	476402	436166	29995	16885	13110	3.3	3.5	3
50.	Bahraich	675190	366853	308337	41898	29960	11938	6.2	8.2	3.9
51.	Shravasti	324108	179728	144380	28692	18943	9749	8.9	10.5	6.8
52.	Balrampur	486630	264163	222467	39201	23495	15706	8.1	8.9	7.1
53.	Gonda	798870	429321	369549	47552	32442	15110	6	7.6	4.1
54.	Sidharath Nagar	604525	320161	284364	32476	18065	14411	5.4	5.6	5.1
55.	Basti	597257	313473	283784	27280	15184	12096	4.6	4.8	4.3
56.	Sant Kabir Nagar	423582	221320	202262	20609	10715	9894	4.9	4.8	4.9
57.	Maharaj Ganj	620983	325699	295284	36043	19614	16429	5.8	6	5.6
58.	Gorakhpur	1075724	560480	515244	36026	19989	16037	3.3	3.6	3.1
59.	Kushinagar	846852	441675	405177	35478	19890	15588	4.2	4.5	3.8
60.	Deoria	788240	409147	379093	25429	14100	11329	3.2	3.4	3
61.	Azamgarh	1154556	597659	556897	48964	27157	21807	4.2	4.5	3.9
62.	Mau	543147	280808	262339	20382	10872	9510	3.8	3.9	3.6
63.	Ballia	778794	410037	368757	23241	13519	9722	3	3.3	2.6
64.	Jaunpur	1131270	591377	539893	50764	27551	23213	4.5	4.7	4.3
65.	Ghazipur	886044	465010	421034	27459	14801	12658	3.1	3.2	3
66.	Chandauli	459310	242715	216595	12949	7520	5429	2.8	3.1	2.5
67.	Varanasi	870918	458690	412228	34883	21477	13406	4	4.7	3.3
68.	Saht RavidasNagar	407784	220920	186864	12451	7281	5170	3.1	3.3	2.8
69.	Mirzapur	611622	326622	285000	17859	10179	7680	2.9	3.1	2.7
70.	Sonbhadra	418296	219885	198411	16418	8588	7830	3.9	3.9	3.9

Source: Report of Labour Department, Ministry of Labour and Employment, GOI, 2001.

India has all along followed a proactive policy in the matter of tackling the problem of child labour. India has always stood for constitutional, statutory and development measures required to eliminate child labour. The Indian Constitution has consciously incorporated provisions to secure compulsory universal elementary education as well as labour protection for children. Labor Commissions in India have gone into the problems of child labour and have made extensive recommendations.

Legislative Measures

India is governed by the Constitution which came into force on January 6, 1950. The Constitution offers all citizens, individually and collectively, certain basic freedoms in the form of six broad categories of Fundamental Rights which are justiciable. These include the right to equality, right to freedom of speech and expression, right against exploitation, right to freedom of religion, right to conserve culture and the right to constitutional remedies for the enforcement of Fundamental Rights. The Constitution also lays down certain Directive Principles of State Policy which, though not justiciable, are fundamental in the governance of the country, and it is the duty of the State to apply these Principles while framing laws. The Directive Principles lay down that the State shall strive to promote the welfare of the people by securing and protecting as

effectively as it may, a social order based on justice social, economic and political. They also lay down that the State shall provide opportunities and facilities for children to develop in a healthy manner, and for free and compulsory education for all children up to the age of 14 years. A distinctive feature of the Indian Constitution is that the chapter on Fundamental Rights recognises children as persons entitled to fundamental rights, and this concept has been an accepted part of the domestic legal tradition from the time the Constitution was adopted. Several countries in South Asia have followed the precedent set by India and incorporated chapters on fundamental rights in their national constitutions.¹

CONVENTION AND RESOLUTION :

These include the convention on the rights of the child, adopted in 1989 by the UN general Assembly and which to date has been satisfied by 164 countries, and the 1990 world summit for children, where 71 presidents and prime ministers committed themselves and their countries to providing among other needs, special protection to working children and basic education to all children.

In ratifying the convention on the Rights of the child, state parties recognised the right of the child to be protected from economic exploitation and from performing or to interfere with the child's education or to be harmful to the child's health or

physical, mental spiritual, moral or social development (Article 32); under took to protect the child from all forms of sexual exploitation and sexual abuse (Article 34; and recognised the right of the child to education (Article 28).

Some regional meetings and conferences have also paid special attention to the situation of working children. or ex., the 1992 columbo resolution of SAARC countries specifically recognised the importance of education policies in reducing child labour and resolved to eliminate child labour progressively and in an accelerated manner. Child labour is one of the most difficult problem faced by millions of modern day children in money parts of the world.

Many faces of child labour :

While earlier assumptions were that with worldwide modernisation and improved legislation, the phenomenon of child labour would dia out by itself ILO inform us that as we approach the 21st century well over 100 million children under the age of 15 are working and that their number is even increasing in some areas. we also known that the majority of them are working under circumstances which are damaging to their physical and mental health.

Child labour is a deceptively simple phrase which is fact, encompasses on extremely complex reality one which wears many faces. Children around the world work under a great

diversity of circumstances. Some are defact if not injure bonded labourers and toil to repay debts incurred by their parents, and many are kept in hazardous work by their parents themselves who are sadly ignorant of the severity of the hazards to which their children are exposed.

The Minimum Age Convention 1973

(ILO convention 138, Articles 1 to 9)

Article 1: Each member for which this convention is in force undertakes to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons.

Article 2:

- (1) Each member which satisfies this convention shall specify, in a declaration appended to its rectification, a minimum age for admission to employment or work within its territory and on means of transport registered in its territory, subject to Articles 4 to 8 of this convention, no one under that age shall be employment or work in any occupation.
- (2) Each member which has ratified this convention may subsequently notify the director general of this international labour office by further declarations that it

specifies a minimum age higher than that previously specified.

- (3) The minimum age specified in pursuance of paragraph 1 of this Article shall not be less than the age of completion of compulsory schooling and in any case, shall not be less than 15 years.
- (4) Nor with standing the provisions of paragraph 3 of this Article a member whose economy and educational facilities are insufficiently developed may after consultation with the organisation of employers and worker concerned, where such exist. Initially specify a minimum age of 14 years.
- (5) Each member which has specified a minimum age of 14 years in pursuance of the provision of the preceding paragraph shall include in its report on the application of this convention submitted under article 22 of the constitution of the international labour organisation a statement.
 - (a) That its reason for doing so subsists or
 - (b) That it renounces its right to avoid itself of the provision in question as from a stated date.

Article 3 :

- (1) The minimum age for admission to any type of employment or work which by its nature or the circumstances in which

it is carried out is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years.

- (2) The types of employment or work to which paragraph 1 of this Article applies shall be determined by national laws or regulation or by the competent authority, after consultation with the organisation of employers and worker concerned where such exist.
- (3) Not with standing the provision of paragraph 1 of this Article national laws or regulations or the competent authority may, after consultation with the organisations of employers and worker conceived, where such exist, authorise employment or work as from the age of 16 years on condition that the health, safety and morals of the young persons concerned as fully protected and that the young persons have received adequate specific instructions or vocational training in the relevant branch of activity.

Article 4 :

- (1) In so far as necessary, the competent authority after consultation with the organisation of employers and workers concerned, where such exist, may exclude from the application of this convention limited categories of employment or work in respect of which special and substantial problems of application arise.

- (2) Each member which ratifies this convention shall list in its first report on the application of the convention submitted under article 22 of the constitution of the international labour organisation any categories which may have been included in pursuance's of paragraph 1 of this article giving the reasons for such exclusion and shall state in subsequent exclusion and shall state in subsequently reports the position of its law and practice in respect of the categories excluded and the extent to which effect has been given or is proposed to be given to the convention in respect of such categories.
- (3) Employment or work covered by Article 3 of this convention shall not be excluded from the application of the convention in pursuance of this Article.

Article 5:

- (1) A member whose economy and administrative facilitate are insufficiently developed may, after consultation with the organisation or employers and workers concerned, where such exist initially limit the scope of application of this convention.
- (2) Each member which avails itself of the provisions of paragraph 1 of this article shall specify in a declaration appended to its ratification the branches of economic

activity or types of undertakings to which it will apply the provision of the convention.

- (3) The provision of the convention shall be applicable as a minimum to the following: mining and quarrying manufacturing construction; electricity, gas and water; sanitary services; transport, storage and communications; and plantations and other agricultural undertakings mainly producing for commercial purposes but excluding family and small scale holdings producing for local consumption and not regularly employing hired workers.
- (4) Any member which has limited the scope of application of this convention in pursuance of this Article .
 - (a) Shall indicate in its report under article 22 of the constitution of the international labour organisation of general position as regards the employment of work of young persons and children in the branches of activity which are included from the scope of application of this convention and any progress which may have been made towards wider application of the provisions of the convention.
 - (b) May at anytime formally intend the scope of application by a declaration addressed to the director general for the international labour office.

Article 7:

- (1) National laws or regulation may permit the employment or work of person 13 to 15 years of age on light work which is-
 - (a) not likely to be harmful to their health or development ; and
 - (b) not such as to prejudice their attendance at school their participation in vocational orientation or training programmes approved by the competent authority or their capacity to benefit from the instruction received.
- (2) National laws or regulations may also permit the employment or work of persons who are a least 15 years of age but have not yet completed their compulsory schooling on work which meets the requirements set forth in subparagraphs (a) and (b) of paragraph 1 of this article.
- (3) The competent authority shall determine the activities in which employment or work may be permitted under paragraphs 1 and 2 of this article and shall perusable the number of hour during which and the conditions in which such employment or work may be undertaken.
- (4) Not withstanding the provisions of paragraph 1 and 2 of this article, a member which has availed itself of the provision of paragraph 4 of article 2 may, for as long as it

continues to do so, substitute the ages 12 and 14 for the ages 13 and 15 in paragraph 1 and the age 14 for the age 15 in paragraph 2 of this article.

Article 9:

National laws or regulation or the competent authority shall prescribe the registers or other documents which shall be kept and made available by the employer ; such registers or documents shall contain the names and ages or dates of birth, duly certified wherever possible of persons whom they employs or who work for him and are less than 18 years of age.

The Minimum Age Recommendation 1973:

(ILO Recommendation 146, Section I to V)

I. National policy

- (1) To ensure the success of the national policy provided for in article 1 of the minimum age convention 1973, high priority should be given to planning for and meeting the needs of children and youth in national development policies and programmes and to the programme extension of the interrelated measures necessary to provide the best possible conditions of physical and mental growth for children and young persons.
- (2) (a) Firm national commitment to full employment in accordance with the employment policy convention and recommendation 1964, and the taking of

measures designed to promote employment oriented development in rural and urban areas.

- (b) The progressive extension of other economic and social measures to alleviate poverty wherever it exists and to ensure family living standards and income which are such as to make it necessary to have resource to the economic activity of children;
 - (c) The development and progressive extension without any discrimination of social security and family welfare measures aimed at ensuring child maintenance, including children's allowances;
 - (d) The development and progressive intension of adequate facilities for education and vocational orientation and training appropriate in form and content to the needs of the children and young person concerned.
 - (e) The development and progressive intension of appropriate facilities for the protection and welfare of children and young person including employed young persons, and for he promotion of their development.
- (3) Particular account should as necessary be taken of the needs of children and young persons who do not have families or do not live with their own families and of migrant children and young persons who live and travel

with their families. Measures taken so that they should include the provision of fellowships and vocational training.

- (4) Full time attendance at school or participants in approved vocational orientation or training programmes should be required and effectively injured up to an age at least equal to that specified for admission to employed in accordance with Article 2 of the minimum age. Convention 1973.
- (5) (i) Consideration should be given to measure such as preparatory training not involving hazards for types of employment or work in respect of which the minimum age prescribed in accordance with article 3 of the minimum age convention 1973, is higher than the age of completion of compulsory full time schooling.
- (ii) Analogous measures should be envisaged where the professional exigencies of a particular occupation include a minimum age for admission which is higher than the age of completion of compulsory full time schooling.

II- Minimum Age :-

- (6) The minimum age should be fixed at the same level for all sector of economic activity.
- (7) (i) Members should take as their objective the progressive

raising to 16 years of the minimum age of admission to employment of work specified in pursuance of article 2 of the minimum age convention 1973.

- (ii) Where the minimum age for employment or work covered by article 2 of the minimum age convention, 1973 is still below 15 years, urgent steps should be taken to raise it to that level.
- (8) Where it is not immediately feasible to fix a minimum age for all employment in agriculture and in related activities in rural areas, a minimum age should be fixed at least for employment on plantations and in the other agriculture undertakings referred to in article 5 paragraph 3, of the minimum age convention 1973.

III- Hazardous employment or work:

- (9) Where the minimum age for admission to types of employment or work which are likely to jeopardise the health safety or morals of young persons is still below 18 years, immediate step should be taken to raise it to that level.
- (11) Where by reference to article 5 of the minimum age convention 1973. a minimum age is not immediately fixed for certain branches of economic activity or types of undertakings, appropriate minimum age provision should

be made applicable their in two types of employment or work presenting hazards for young persons.

IV- Conditions of employment :-

- (12) (i) Measures should be taken to ensure that the conditions in which children and young persons under the age of 18 year are employed or work reach and are maintained at a satisfactory standard these conditions should be supervised closely.
 - (ii) Measures should likewise be taken to safeguard and supervise the conditions in which children and young persons undergo vocational orientation and training within undertakings, training institutions and schools for vocational or technical education. and to formulate standard for their protection and development.
- (13) In connection with the application of the proceeding paragraph as well as in giving effect to article 7, paragraph 3 of the minimum age convention 1973, special attention should be given to
- (a) The provision of fair remuneration and its protection, bearing in mind the principle of equal pay for equal work;
 - (b) The strict limitation of the hours spent at work in a day and in a week and the prohibition of overtime so

as to allow enough time for education and training (including the time needed for home work related there to for rest during the day and for leisure activities.) of

- (c) The granting without possibility of exception save in genuine emergency of a minimum of customary weekly rest day;
 - (d) The granting of an annual holiday with pay of at least from weeks and in any case, not shorter than that granted to adults;
 - (e) Coverage by social security schemes including employment injury, medical care and sickness benefit schemes whatever the conditions of employment or work may be;
 - (f) The maintenance of satisfactory standards of safety and health and appropriate instruction and supervision.
- (2) Subparagraph (i) of this paragraph applies to young seafarers in do for as they are not covered in respect of the matters dealt with therein by international labour conventions or recommendation specifically conceived with maritime employment

V- Enforcement :

Measures to ensure the effective application of the minimum age convention 1973, and of this recommendation should include -

- (a) The strengthening as necessary of labour inspection and related services for instance by the special training of inspectors to detect abuses in the employment of work of children and young persons and to correct such abuses ; and
- (b) The strengthening of services for the improvement and inspection of training in undertakings.
- (3) Labour inspector and inspector of training undertaking should be closely co-ordinated to provide the greatest economic efficiency and generally the labour administration service should work in close co-operation with the services responsible for the education training welfare and guidance of children and young person.
- (15) Special attention should be paid-
 - (a) to the enforcement of provision concerning employment in hazardous types of employment or would; and
 - (b) in so far as education or training is compulsory, to the prevention of the employment of work of children and young person during the hours when instruction is available.
- (16) The following measures should be taken to facilitate the verification of ages:

- (a) the public authorities should maintain an effective system of birth registration which should include the issue of birth certificates;
- (b) employers should be required to keep and to make available to the competent authority register or other documents indicating the names and ages or dates of birth, duly certified wherever possible, not only of children and young person employed by them but of those receiving vocational orientation or training in their undertakings;
- (c) children young persons working in the streets in outside stalls in public places, in itinerant occupation or in other circumstances which make the checking of employer's records impracticable should be issued licences or other documents indicating their eligibility for such work.

Fulfilling the right to primary education :

Dr. Vasundhara Dhaganwar Executive Director (MARG)
N. Delhi-16- "Consequent on same landmark judgements of the apex court there is no room any more for ambiguity if ever there was in the basic constitutional provision but its judicial interpretation for over four decades free and compulsory education for every child has been state policy, inscribed in India's constitution, but the words were aspirational excuses

were seriously pleaded; mainly lack of resources with the local community the child's family."

The economic circumstances of the state or of the parents for that matter cannot be pleaded as an excuse for not providing primary education. Resources have to be found and applied it is now for social activities to legally demand that this right be enforced in their local administrative jurisdiction, ensuring that support facilities are rapidly in place including the withdrawal of children from the labour force."

Article (s) 41 and at the least therefore it must include protection of the tender age of children against abuse, opportunities and facilities for children to develop in a healthy manner and in conditions of freedom and dignity, educational facilities.....)

Constitutional and Policy Framework

India has all along followed a pro-active policy with respect to the problem of child labour, and has stood for constitutional, statutory and developmental measures to combat child labour. Six ILO conventions relating to child labour have been ratified, three of these as early as the first quarter of the 20th century. The framers of the Indian Constitution consciously incorporated relevant provisions in the Constitution to secure compulsory universal primary education as well as labour protection for children (Article 24,39,45). If the provisions on child labour in

international conventions such as the ILO standards and the CRC are compared with Indian standards, it can be said that the Indian Constitution articulates higher standards in some respects. The Constitution of India specifies that a child has a right not to be used in 'forced' or 'bonded' labour. The Constitution also specifies in its chapter on Fundamental Rights that 'no child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous work' The aspect of child labour is also covered under the Directive Principles of State Policy which are not legally enforceable, but are fundamental in the governance of the country. These Directive Principles specifically refer to the duty to formulate policies preventing exploitation of workers or prohibiting child labour, or contain general provisions on safeguarding a child's welfare and protecting children from exploitation. Equality provisions in the Constitution authorise affirmative action policies on behalf of the child.

Directive Principles of State Policy indicate that the government must take measures to achieve the goal of free and compulsory education for children under the age of 14 years. They also refer to the eradication of illiteracy by ensuring universal and equal access to education at all levels. In that sense, they postulate higher standards on education than the Convention, which focuses on free compulsory primary education.

Labour Commissions and Committees have gone into the problems of child labour and made extensive recommendations. India's judiciary right up to the apex level has demonstrated empathetic responses against the practice of child labour. India's policy on child labour has evolved over the years in this backdrop.

The policy of the Government is to ban employment of children below the age of 14 years in factories, mines and hazardous employment and to regulate the working conditions of children in other employment.

Fundamental Rights

India follows a pro- active policy towards tackling child labour problem. The concern for children in general and child labour in particular is reflected through the articles of the Constitution of India.

Article 14: "The State shall not deny to any person. equality before the law or the equal protection of laws within the territory of India."

Article 15: "The State shall not discriminate against any citizen... Nothing in this Article shall prevent the State from making any special provisions for women and children.

Article 21: "No person shall be deprived of his life or personal liberty except according to the procedure established by law."

Article 23: "Traffic in human beings and begar and other forms

of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with the law."

Article 24: "No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment"

Directive Principles of State Policy

Article 39 (e) and (f) : Directive Principles of State Policy.

The State shall, in particular, direct its policy, securing:

- (e) That the health and strength of workers, men and women , and the tender age of children are not abused and that citizens are not forced by economic necessity to enter a vocation unsuited to their age or strength.
- (f) That children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

Article 42: "Right to humane conditions of work and maternity relief"

Article 45: "Right of children to free and compulsory education"

The State shall endeavour to provide, within a period of ten years from the commencement of this Constitution, for free and

compulsory education for all children until they complete the age of fourteen years.

Article 46: "To promote educational and economic interests of weaker sections to protect them from social injustice."

Article 47: "The State shall endeavour to raise the level of nutrition and standard of living and to improve public health."

International Conventions

India has signed the following conventions related to child labour.

1. Convention No. 5 of 1919-

It provides that children under the age of 14 years should not be employed or allowed to work in any public or private industrial undertaking other than an undertaking in which only members of the same family are employed. The term "industrial undertaking" includes mines, quarries, manufacturing industries, construction, maintenance and repairs and transport of passengers or goods by road, rail or inland waterways. This convention was ratified by India on September 9, 1955.

2. Convention No. 6 of 1919-

It provides that young persons under 18 years of age are not to be employed during the night in any public or private industrial undertakings, which includes mines, manufacturing units, quarries, construction, transport. In case of India

"industrial undertaking" includes only factories as defined by the Indian Factories Act, and the age is 14 instead of 18, as provided in the Convention. This convention was ratified by India on August 7, 1921

3. Convention No. 15 of 1921-

It provides that young persons under the age of 18 years are not to be employed on vessels as trimmers or stokers. India ratified this convention on November 20, 1922.

4. Convention No. 16 of 1921-

The convention provides for compulsory medical examination of children and young persons employed at sea. The fitness certificate is to be given at intervals of not more than one year. This convention was ratified by India on November 20, 1922.

5. Convention No. 90 of 1948-

This convention partly revises Convention No 6 of 1919. The term "night" signifies a period of at least 12 consecutive hours instead of 11 prescribed in. Convention No.6. India ratified this convention on February 27, 1950.

6. Convention No. 123 of 1965-

This convention provides that the minimum number of young persons to work in an underground mine, should be fixed in consultation with the employers and workers, organisations and that the age should not be less than 16 years. India ratified

this convention on March 20, 1975.

HISTORY OF LEGISLATIONS RELATED TO CHILD LABOUR

Legislative history with respect to child labour has traversed a long part since 1881 progressively extending protection of the law to working children. Over this long period, thus statutory provision on child labour has concentrated mainly on a few aspects like reducing the working hours, raising the minimum age in defining the child and different activities which a child can undertake.

1881 : The Factories Act. 1881

Minimum age of a child for employment was fixed as seven years.

1891 : The Factories Act, 1891

Minimum age was increased to 9 years.

1901 : The Mines Act, 1901

The Act prohibited the employment of children under 12 years of age.

1911 : The Factories Act., 1911

This Act prohibited more of children between 7 p.m. and 5:30 a.m. It also provided for

- i) Work in certain dangerous processes prohibited;
- ii) Certificate of age and fitness required.

1922 : The Factories (Amendment) Act, 1922

To implement the Convention (No. 5), 1911; the Factories Act. was amended in 1922 which provided for the following changes.

- i) Minimum age limit was increased to 15 years;
- ii) Reduced the working hours to a maximum of 6 hours, and also an interval of half an hour was provided for it children who are employed for more than 5½ hours;
- iii) Prohibition of employment of children below 18 & women, in certain processes.

1923 : The Indian Mines Act, 1923

This Act prescribed a higher minimum age for employment in mines i.e. from 12 to 13 years.

1931 : The India Posts (Amendment) Act. 1931

This Amendment provided that 12 years shall be the minimum age of a person for handling goods in ports.

1934 : The Factories (Amendment) Act, 1934

- i) Children under 12 & 15 years employment generally prohibited;
- ii) Children between 12 & 15 years - employment restricted to 5 hours a day;
- iii) Children between 15 & 17 years certain restrictions on employment were imposed.

1935 : The Mines (Amendment) Act. 1935

- i) Employment of children under 15 years in mines was prohibited.

- ii) Underground employment of persons between 15 & 17 years was permitted only on production of certificate of physical fitness granted by a qualified medical practitioners.

1948 : The Factories Act, 1948

Raised minimum age of employment in factories to 14 years.

1949: Employment of Children (Amendment) Act 1949

Raised the minimum age to 14 years for employment in establishments governed by the Act.

1951: Employment of Children (Amendment) Act, 1951

Prohibited the employment of children between 15 and 17 years at night in railways and parts and also provided for requirement of maintaining register for children under 17 years.

1951: The Plantation Labour Act, 1951

Prohibited the employment of children under 12 years in plantations.

1952: The Mines Act, 1952

Prohibited the employment of children under 15 years in mines.

The act stipulates two conditions for under ground work:

- (i) Requirement to have completed 16 years pf age. and
- (ii) Requirement to obtain a certificate of physical fitness from a surgeon.

1954: The Factories (Amendment) Act, 1954

Included prohibition of employment of persons under 17 years at night ("night" was defined as a period of 12 consecutive hours and which included hours between 10 P.M to 7 P.M)

1958: The Merchant Shipping Act, 1958.

Prohibits children under 15 to be engaged to work in any capacity in any ship, except in certain specified cases.

1961: The Motor Transport Workers Act, 1961

Prohibits the apprenticeship/ training of a person under 14 years.

1966: The Beedi and Cigar Workers (Conditions of Employment) Act, 1966 prohibits:

- (i) The employment of children under 14 years in beedi and cigar making.
- (ii) Persons between 14 and 18 years to work at night between 7 P.M and 6 A.M.

1978: Employment of Children (Amendment) Act, 1978

Prohibits employment of a child below 15 years in occupations in railway premises such as under- picking or clearing of ash pit or building operations in catering establishment and in any other work which is carried on in close proximity to or between the railway lines.

1986: The Child Labour Prohibition and Regulation Act, 1986

The Act prohibits of 13 occupations and 51 processes which have been listed out in part A&B of the employment of any person who has not completed his fourteen year of age schedule of the Act.

SALIENT FEATURES

- Defines "child" as a person who has not completed 14 years of age.
- Prohibits the employment of children below 14 years in specified occupations and processes.
- Lays down a procedure to make additions to the schedule of prohibited occupations or processes.
- Regulates the working conditions of children in occupations where they are not prohibited from working.
- Lays down penalties for violation.

Employment of children in the following occupations is prohibited according to Section 3 of the child Labour (Prohibition & Regulation) Act, 1986:

- (1) Transport of passengers, goods or mails by railway.
- (2) Cinder picking, clearing of an ash pit or building operation in the railway premises
- (3) Work in a catering establishment at a railway station, involving the movement of a vendor or any other employee of the establishment from one platform to another or into or out of a moving train.

- (4) Work relating to the construction of a railway station or with any other work where such work is done in close proximity to or between the railway lines.
- (5) A port authority within the limits of any port.
- (6) Work relating to selling of crackers and fireworks in shops with temporary licences
- (7) Abattoirs/Slaughter Houses.
- (8) Automobile workshops and garages.
- (9) Foundries.
- (10) Handling of toxic or inflammable substances or explosives.
- (11) Handloom and power loom industry.
- (12) Mines (underground and under water) and collieries;
- (13) Plastic units and fibre glass workshops.

The Child Labour (Prohibition and Regulation) Act, 1986, provides for the constitution of a Child Labour Technical Advisory Committee to advise the Central Government for the purpose of addition of occupations and processes to the Schedule to the Act.

The Government recently amended the Central Civil Services (Conduct) Rules to prohibit the employment of children. According to this, no Government employee shall employ any child below the age of 14 years.

As an immediate response to the States which have made necessary changes to the State Service Rules are: Andhra

Pradesh, Tamil Nadu, Kamataka, Assam, Goa, Himachal Pradesh, Jammu and Kashmir, Maharashtra, Madhya Pradesh, Mizoram, Sikkim, Tripura and West Bengal.

The State of Kerala is drafting a legislation totally banning child labour, the first State to do so. The draft of the Bill has already been prepared by the Department of Labour and is expected to be presented before the assembly in due course. The State is also planning to set up a Child Labour Elimination Authority.

COMMITTEES ON CHILD LABOUR

Different commissions on labour have looked into the working conditions of children and made recommendations which resulted in enactment of labour laws having provisions relating to child labour.

1929- ROYAL COMMISSION ON LABOUR

- Reported the prevalence of child labour in various parts of the country in the Bidi, Textile, Carpet, Match and Fire works etc.
- Paid specific attention to child labour working in the Tea plantations and recommended. that owners contribute to the establishment of facilities for ensuring their minimum education.

- It recommended the legal prohibition of children below the age of ten from work and the entry of all the names in wage books.
- Recommended for the prohibition of children working overtime and taking work home.

1944 - LABOUR LEGISLATIVE COMMITTEE (REGE COMMITTEE)

- Observed increase in the number of child labour during wartime and in the small- scale industries.
- Specific observations were made on the incidence of child labour in the Match industry of Tamil Nadu, cement industry of Rajasthan, the Spinning industry of Karala and the Carpet weaving in Kashmir.
- Recommended for the adoption of positive measures to wean children away form industrial employment.

1979- GURUPADASWAMY COMMITTEE.

- Looked into various dimensions of child labour.
- Examined status and implementation of child labour legislation and recommended for strengthening of enforcement machinery.
- Recommended for the setting up of Child Labour Advisory Board and fixing the minimum age of entry into employment.

- Recommended adoption of uniform definitions of a child and adolescents while prescribing the hours of work, conditions of work etc.

Recommended for formulation of and effective education policy with emphasis on integration of educational requirements with local crafts.

NATIONAL RESOURCE CENTRE ON CHILD LABOUR

Contributing significantly to the efforts of prevention and elimination of child labour is one of the important activities of the V.V. Giri National Labour Institute. Towards achieving this child Labour Cell was set up to the institute in 1990. In response to the need for augmenting the activities of the Child Labour Cell and to meet the demands of the different interest groups engaged in the elimination of child labour the cell was upgraded as the National Resource Centre on Child Labour(NRCCL) in March, 1993. In addition to conducting research projects, the Center also organises various training programmes to develop the capabilities of individuals, groups and organizations working towards the elimination of child labour

OBJECTIVES

- The National Resource Center on Child Labour endeavors to contribute to the attainment of the Government Policy of progressive elimination of child labour.

Functions

- Research.
- Documentation
- Publication
- Dissemination
- Consultancy
- Technical support
- Networking
- Media Advocacy

Target Groups

- Government functionaries.
- State Labour Institutes.
- Labour Departments.
- Central Board for Workers Education
- Cooperative Extension Officers.
- Non Governmental Organisations
- Academicians
- Youth Groups
- Panchayati Raj Institutions
- Trade Unions
- Teachers Associations
- Media
- National child Labour Project Staff
- Parents of Child Labour.
- Employers

GOVERNMENT OF INDIA'S POLICIES AND ACTIONS

Central Advisory Board on Child Labor

The Central Advisory Board on Child Labor was constituted on March 4, 1981. The following are the terms of reference of the Board:

- Review the implementation of the existing legislation administered by the Central Government.
- Suggest legislative measures as well as welfare measures for the welfare of working children.
- Review the progress of welfare measures for working children.
- Recommend the industries and areas where there must be a progressive elimination of child labor.

The Board was reconstituted last on November 2, 1994. The Union Labor Minister is the Chairman of the Board. The other Members of the Board include representatives from the various sister ministries, Members of Parliament, non-governmental organizations, representatives of major trade unions and employers' organizations. The last meeting of the Board was held on December 27, 1995.

Child Labor Technical Advisory Committee:

Under Section 5 of the Child Labour (P&R) Act 1986, the Government of India is empowered to constitute a Child Labor Technical Advisory Committee for the purpose of addition of

occupation and processes in the Schedule to the Act. The Committee consists of a Chairman and members not exceeding ten. The Committee has been reconstituted on February 5 1996 under the chairmanship of Director General of Indian Council of Medical Research.

Action Programmes aimed at institutional Development implemented by IPEC in India are:

1. Workshop for TVS [1992-93 AP 07 US\$ 11, 875]- The cell has been undertaking activities related to Child Labour such as training programme as well as research and evaluation studies. Action programmes aimed at sensitizing national trade union leaders about the nature and magnitude of the problems of Child Labour.
2. Training of (Labour) Inspection for effective enforcement of Child Labour legislation (1992-93) [92-93 Ap 063, US \$ 153, 012]
3. Training of (Labour) inspection for effective enforcement of Child Labour legislation (1994-95) [94-95, AP 180 US \$ 69.724]

In this programme 600 labour and factory inspectors of state Government and UTs were put through training programmes. The programmes were designed to sensitize inspectors about the negative impact of labour on the mental,

physical psychological growth of children, as well as on the health of the society and economy as a whole.

Direct support action programmes implemented by IPEC, in India are described below:

1. Identifying and releasing bonded child labourers (1992-93)
[1992-93, AP 032, US \$ 23, 800]
2. Combating child labour and releasing bonded Child Labours in the carpet industry in U.P. (1994-95). [1994-95, AP 154, US\$ 28.686]
3. Combating child labour and providing non formal education, particularly for girl children and bonded labourers in the agricultural sector of Ranga Reddy District, AP [1992-93, AP 059, US\$ 28.92].
4. Combating child labour and rehabilitating children working in biscuit factor in the Katledan Industrial area of Ranga Reddy District, Andhra Pradesh. [1992-93, AP 050, US\$ 11,700]
5. Providing educational and vocational training to children engaged as beedi wrappers, in Manner block of Tirunelvers District [1992-93, AP 044, US\$ 13,900]
6. Development programmes for child workers in metal factories Madras [1992-93, AP 045, US \$ 9100]

7. Towards the elimination of child labour in metal factories in Madras. [1994-95, AP 152, US \$ 32, 763].
8. Providing support to children working in the lock making industry [1992-93, AP 056, US \$ 32, 600].
9. Improving the conditions of children working as ragpickers in Bangalore [1992-93, AP 060, US\$ 27,000]
10. Combating child labour in Bangalore slums [1994-95, AP 16, US \$ 28, 468].
11. Combating child labour through creative education [1992-93, AP 065, US \$ 30, 500]
12. Combating child labour through the education of children and through awareness generation amongst parents and the community [1992-93, AP 066, US \$ 4,250].
13. Combating Child labour by demonstrating that Child labourers can be weaned away from work in to schools [1994-95, AP 172, US \$ 14,279].
14. Rehabilitation of children working in the agricultural and informal sectors [1992-93, AP 052, US\$ 81,000]
15. Towards the programme elimination of child labour from railway stations [1994-95 AP 173, US \$ 80,000].

Box 1 (i) : Highlights of IPEC Programme in India.

<ul style="list-style-type: none"> • National Consultation with trade unions • Survey of child labour in sports goods industry • Workshop on policy changes for elimination of child labour in rural areas. • State-based approach against child labour in Andhra Pradesh. • Consultation meeting with States on child labour • Adoption of UN system in India : Position paper on child labour. • UN-System support of community based education • Development of training packages on child labour for NCLP project directors. • Project for providing pre-vocational training skills and basic education/Literacy to child labourers released from bondage. 	<ul style="list-style-type: none"> • Training module for elected representatives of Panchayati Raj institutions. • Training module for judicial officers. • Setting up a child labour cell in the State Labour Institute, Orissa. • Conducting a multi-centric action research study on child labour in home-based industry. • Sensitizing office bearers and members of INTUC and its affiliates against child labour. • Composite approach against child labour : sensitizing and education. • Sensitizing trade unions activists on the worst form of child labour and counselling child labourers in distress.
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<ul style="list-style-type: none"> • Combating child labour in stone quarries and brick kilns • Development of training package on child labour for trade unions at the State/district level. • Consolidation of work done on the training of labour and factory inspectors on child labour. 	<ul style="list-style-type: none"> • Integrated area - specific approach against hazardous and exploitative forms of child labour in Ferozabad. • Four integrated area - specific projects to be implemented by NCLPs in Mirzapur (Uttar Pradesh), Jaipur (Rajasthan), Tripur (Tamil Nadu), and Virudhunagar (Tamil Nadu).
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THE NATIONAL CHILD LABOUR POLICY- 1987

The National Child Labour Policy was adopted in 1987 to deal with a situation where children are compelled to work, on a regular or a continuous basis to earn a living for themselves and their family, and where conditions of work result in their being disadvantaged and exploited.

MAIN INGREDIENTS OF THE POLICY

☛ The Legislative Action Plan

- Setting up of child Labour Technical Advisory Committee to advise the Central Government on addition of occupations and processes to the Schedule contained in the Child Labour (Prohibition and Regulation) Act, 1986.

- Envisages the strict enforcement of the provisions of the Child Labour (Prohibition and Regulation) Act 1986 and other child related legislation.

☞ **Focusing on General Development Programmes for Benefiting Child Labour:**

To successfully rehabilitate child labour withdrawn from employment and to reduce the incidence of child labour progressively, the focus is on the environment of the child. By utilizing the on going development programmes of other Ministries and Departments for the benefit of the child and his family, child labour can be discouraged.

- By providing better and readily accessible education, through formal or non-formal systems of education
- By improving health conditions for child labour.
- By providing nutrition through schemes like the "Integrated Child Development Services"
- By intensifying the anti-poverty programmes such as Integrated Rural Development Programme, National Rural Employment Programme etc.

☞ **Area specific projects:**

To focus on areas known to have high concentration of child labour and to adopt a project approach for identification, withdrawal and rehabilitation of working children.

NATIONAL CHILD LABOUR PROJECTS

Present Coverage Under National Child Labor Projects:

So far 76 child projects have been sanctioned under the National Child Labor Project Scheme for covering 150,000 children. Around 105,000 children are already enrolled in the special schools.

It is noteworthy that in the last three decades several major policies and action plans have been announced for improving the status of children. These include:

- 1974 - National Policy for Children
- 1983 - National Health Policy
- 1986 - National Policy on Education
- 1987 - National Policy on Child Labour
- 1993 - National Nutrition Policy.
- 1996 - Communication Strategy for Child Development
- 1991-2000 - National Plan of Action for SAARC-Decade of the Girl Child
- 1992 - National Plan of Action for Children
- 1995 - National Plan of Action on Nutrition
- 2000 - CHILDLINE Service and Childline India Foundation
- 2000 - National Initiative for Child Protection (NICP)
- 2000 - The Juvenile Justice (Care and Protection of Children) Act, 2000

100 CHILD LABOUR PROJECTS IN 13 STATES OF INDIA

Andhra pradesh (22 Districts)

Mghbubngar, Guntur, Karimnagar, Kurnool, Ananthapur, East Godavare, Warangal, Nalgonda, Chittoor, Prakasam, Visakhapatnam, Srikakulam, Nizaamabad, Medak, Khammam, Adilabad, Cuddapah, vizianagaram, Rangareddy, Nellore, Hyderabad, West Godavari.

Bihar (2 districts)

Nalanda, Saharasa

Jharkhand (6 Districts)

Sahibganj, Dumka, Pakur, West Singhbhum (Chaibasa), Garhwa, Jamui

Karnataka (5 Districts)

Bijapur, Raichur, Dharwad, Bangalore (Urban), Bangalore (Rural)

Madhya Pradesh (3 Districts)

Gwalior, Mandsaur, Ujjain

Chattisgarh (5 Districts)

Bilaspur, Rajnandgaon, Surguja, Raigarh, Durg

Maharashtra (2 Districts)

Solapur, Thane

Orissa (18 Districts)

Koraput, Ganjam, Kalahandi, Sambalpur, Mayubhanj, Bolangir, Malkangiri, Nabarangapur, Rayagada, Nuapada, Gajapathi,

Baragarh, Deogarh, Jharsuguda, Angul, Cuttack, Balassore, Sonapur.

Punjab (3 Districts)

Jalandhar, Amritsar, Ludhiana.

Rajasthan (6 Districts)

Jaipur, Udaipur, Tonk, Jodhpur, Ajmer, Alwar.

Tamil Nadu (9 Districts)

Coimbatore, Dharamapuri, Salem, Tiruchirapalli, Tuticorin, Virudhunagar, Pudukkottai, Vellore, Tirunelveli.

Uttar Pradesh (11 Districts)

Aligarh, Varanasi, Bhadohi, Allahabad, Saharanpur, Azamgarh, Ferozabad, Mirzapur, Moradabad, Bulandshahar, Kanpur.

West Bengal (8 Districts)

North 24 Paraganas, South 24 Parganas, Midnapur, Murshidabad, Burdwan, Uttar Dinajpur, Dakshin Dinajpur, Kolkatta.

National Child Labour Projects : (Article 22,38,39,40,37 (B) -(D) 32-36)

The National Child Labour Projects started by the GOI with the aim of withdrawing children from hazardous employment and ensuring their rehabilitation through education in special schools, has sanctioned 100 Child Labour Projects for rehabilitating nearly 0.21 million children in the most endemic areas and 1,89,615 have already been enrolled in the special schools for more details please see Table A.

Table A : Coverage under National Child Labour Projects				
State (Districts)	Sanctioned No. of		Actual Coverage	
	Schools	Children	Schools	Children
Andhra Pradesh (22)	975	61050	999	65541
Bihar (8)	194	12200	194	12016
Karnataka (5)	190	9500	105	5222
Madhya Pradesh (8)	237	14500	140	7408
Maharashtra (2)	74	3700	61	3184
Orissa (18)	696	39550	628	34932
Rajasthan (6)	180	9000	136	6800
Tamil Nadu (9)	425	21900	414	20654
Uttar Pradesh (11)	370	22500	307	18567
West Bengal (8)	346	17350	279	13941
Punjab (3)	107	5350	27	1350
Grand Total (100)	3794	216600	3290	189615

*Source : D.O. No. 5-27022/1/97-CL dated March 7, 2002, Ministry of Labour,
Government of India.*

Project Based plan of Action:

The National Child Labour Projects (NCLP) were launched for the first time in 1988 in areas of high concentration of child labour. The NCLPs are area-specific, time bound projects where priority is given to the withdrawal and rehabilitation of children engaged in hazardous employment.

The Strategy of the National Child Labour Projects is to implement model programmes consisting of key elements such as:

- Stepping up the enforcement of the prohibition of Child Labour.
- Providing employment to parents of child labour.
- Expanding formal and non-formal education .
- Promoting school enrollment through various incentives, such as payment of stipend.
- Raising public awareness.
- Survey and evaluation.

Originally, the Government started 13 location- specific NCLPs. Currently 100 projects are functioning in the child labour endemic states of the country.

The Prime Minister's Special Action Plan (SAP) has stressed the need for expansion of and improvement in the social infrastructure in the field of education. The Government has accorded high priority to education, the main facets of which are:

- Total eradication of illiteracy;
- A gradual increase in Governmental and non-governmental spending on education, up to six per cent of the GDP.
- Implementation of the Constitutional provision of making primary education free and compulsory up to Class V;

- A move towards equal access to and opportunity for educational standards up to the school-leaving stage; and
- An improvement in the quality of education at all levels-from primary school to the university.

The proposed 83rd Constitutional Amendment Bill, 1997, guarantees the right to free and compulsory education for children from 6-14. years of age. It also makes it a fundamental duty of parents/ guardians to provide opportunities for education to children in this age group.

The Tamil Nadu Compulsory Education Act, 1994, came into force from July 1998. Article 4 of the Act makes it a duty of every parent or guardian to send their ward to attend an elementary school if he or she is of the school-going age. On failure, the parent or guardian shall be punished with a fine, which may extend to one hundred rupees. Further, to safeguard the interest of families, it is listed as a cognizable offence, where no court shall take cognizance of the offence punishable under this Act, unless and until the complaint is given in writing by an Officer authorized by the Government in this regard.

The Government has declared its commitment to every child in the Ninth Plan (1997-2002). The challenge is to reach every young child and his her family, especially the disadvantaged, with the active participation of the community, to promote holistic development and growth. The approach to the

Ninth Five-Year Plan has been formulated in the light of these objectives. The total central plan allocation on education has been enhanced from Rs 40.54 billion in 1998-99 (RE) to Rs 47 billion in 1999-2000 (BE)⁶

Judicial interventions are one of the most powerful instruments available for combating child labour. Like many countries, the Indian judiciary has given appropriate importance to the issue of prohibiting the employment of children under a certain age and regulating working conditions for children above the minimum age.

The Supreme Court, in its judgement on December 10, 1996 in a writ petition [(Civil) No. 465/1986] has given certain directions regarding the manner in which children working in hazardous occupations are to be withdrawn and rehabilitated as also the manner in which the working conditions of children working in non-hazardous occupations are to be regulated and improved upon.

SUPREME COURT JUDGEMENT

- Survey of child labour engaged in hazardous and non-hazardous occupations/processes should be undertaken within six months.
- Priority should be accorded to pulling out child labour from the most hazardous occupations.

- Alternative employment should be provided to the parents/guardians of child labour
- A major member of the child labour family should be provided employment in the same industry where the child was working. The employment should be near the place. of residence of the child labourers family.
- Where it is not possible to arrange alternative employment for major number of the child labourers family, the entire income accruing from Rs. 25,000 per of the child Labour Welfare Fund (Rs. 20,000 from employer and Rs. 5,000 from Government) should be given to the parents / guardians of the child labourers.
- Article 45 of the Indian Constitution provides for imparting compulsory and free education to every child (male of female). Inspectors should ensure compliance of this provision.
- Executive officers of the districts should be given the charge of recovering the penalty amount of Rs. 20,000/- from these who employ child labour in violation of the Child Labour Act and keeping watch over the functioning of inspectors.
- Secretary to the Government of India, Ministry of Labour, should submit to the court within one year from today, a report on the compliance of these directions.

- Where children are employed in violation of Child Labour Act, action should be taken in accordance with the penal provisions of this act.
- In respect of child labourers employment in non hazardous occupations, the inspectors should ensure that these children are made to work for only four to six hours in a day and that arrangements exist for giving them education at the employers expense for at least two hours.

INITIATIVES OF INTERNATIONAL ORGANISATIONS

The issue of child labour has been identified and recognised as an important area of concern by the international agencies. Through their long and amicable association with the Indian Government, they endeavour to tackle the child labour menace by supporting the Governmental and non-governmental initiatives.

UNITED NATIONS INTERNATIONAL CHILDREN EDUCATION FUND (UNICEF)

UNICEF acknowledges the need to tackle the problem of child labour in order to implement the Conventions on the Rights of the child and achieve the goals for improving the conditions and well being of children. Its objectives.

- To promote compulsory primary education as the fundamental strategy for the elimination and prevention of child labour.

- To advocate revision and enforcement of child labour legislation and to strengthen monitoring systems.
 - To assist Central and State Governments to develop and implement programmes and an action plan for the withdrawal and rehabilitation of child labour.
 - To promote convergence of all sectoral and developmental programmes on "at risk" families.
- Dr Samis Basta director UNICEF office for Europe. "It is time that society stopped depending on its children to feel its families child labour is nothing but a contemporary form of slovenly," against which there is increasing public indignation and organised action within and across countries can the struggle be won in this decisive decade."

For the first time ever international opinion and local awareness are finding common cause, consequent or more and more facts coming to light yet is enough known simultaneously to move the world at both the levels, to free the working child.

THE INTERNATIONAL LABOUR ORGANIZATION (ILO)

The ILO's policy has abolition of child labour as its objective based on the conviction that "childhood should be concentrated not to work but to education and development, that child labour often jeopardizes children's possibilities of becoming productive adults and that

child labour is not inevitable its elimination is possible will exists" (ILO Policy: A Summary.)

ILO recognises that total abolition of child labour will take a long time and it feels that a start has necessarily to be made and to this end it has defined certain priority areas. It has launched a global project, the International Programme on the Elimination of Child Labour (IPEC) to contribute to the effective abolition of child labour.

In June 1999 International Labour Organisation Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour - which prohibits, *inter alia*, forced or compulsory recruitment of children for use in armed combat - was unanimously adopted. This was followed, on 25 May 2000, by the General Assembly of the United Nations adopting the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (UN 2000). By 2001, 80 states had signed it and four had ratified it. Ten ratifications are needed to bring it into force. The States Parties agreed to two new Articles. One relates to taking all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities. The second is to ensure that persons who have not attained the age of 18 years are not compulsorily recruited into the armed forces.

Child Labour The ILO Position

The adoption of legislation specifying a minimum age of entry to employment, prohibiting child employment in certain occupations or activities and regulating it where it is legally permitted has obvious and vital objectives. It helps establish certain labour norms and standards to which society can aspire and which can be used as a framework for policy as well as providing a yardstick for evaluating performance and progress. Furthermore, it is one way of moving towards a common set of universal standards with regard to human dignity and human rights, including the rights of children are observed and respected (Bequele and Boyden 1988, p. 11)

Child labour legislation is seldom reinforced rigorously this may be because :-

Political will is lacking and there are other more pressing priorities:

- It is acknowledged that children have to work for survival.
- There are no resources available to police the law adequately.
- It is difficult to regulate marginal activities such as street vending.
- There is no central point of reference in government to deal with child work.

- Compulsory school attendance is not enforced, schools are inadequate, teaching is poor, the curriculum is irrelevant, families do not see schooling as a priority.
- In some areas of the economy child work is important (the export carpet industry for example)
- There are strong vested interests among employers to keep children working

International Labour Organization

FACT SHEET

Abolition of child labour

Work imposed on children, often at a very young age, damages their physical, mental and moral development. According to Albert Thomas, the first Director of the International Labour Office, the exploitation of children constitutes "the evil the most hideous, the most unbearable to the human heart, serious work in social legislation begins always with the protection of children."

Thus, since its foundation in 1919, the International Labour Organization has drawn up a series of standards to eliminate child labour. One of the very first Conventions fixed 14 years as the minimum age for the admission of children to industrial employment. This was followed by several conventions prohibiting child labour in particular sectors and occupations,

and in 1973, by Convention No. 138 and Recommendation No. 146, which deal with the question in depth and comprehensively. All countries which have ratified Convention No. 138 undertake to pursue a national policy designed to ensure the effective abolition of child labour and progressively to raise the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of young persons. This minimum age shall not be less than the age of completion of compulsory schooling, and in any case, shall not be less than 15 years. Never the less, in countries in which the economies and education systems are not sufficiently developed, it can be fixed at 14 years. On the other hand, the minimum age for admission to any type of employment of work which, by its nature or working conditions, may jeopardize the health, safety or morals of young persons, shall not be less than 18 years. Finally, employment in light work is authorized from the age of 13 (12 years in countries in which the economies and educational systems are insufficiently developed).

The frame work of social legislation envisaged by Albert Thomas since 1919 now exists. It is up to member states to follow the model and tap ILO expertise in technical assistance to eliminate this scourge.

Recommendation No. 146 of 1973, concerning the minimum age for admission to employment, calls the attention of governments to a complete set of political, economic and social choices whose ultimate aim is the abolition of labour imposed on children : employment policies, quality of life and minimum wage, child benefits, development of means of education, of guidance and vocational training, creation of services for the protection of children, and strengthening work inspection as well as strict regulation of workers less than 18 years old in order to prevent their exploitation.

The ILO is motivated by a three-fold conviction in its struggle against child labour, as Director-General Miches Hansenne States: "Childhood is a period of life which should be devoted not to work, but to education and training: child labour, by its very nature and the working conditions in which it is carried out, often compromises children's potential to become productive and useful adults in society: finally, the use of child labour is not inevitable, and progress toward its elimination is possible whenever there is political will to oppose it with determination."

"It is to help member States begin this painful process that the ILO initiated a new strategy in 1991 which aims, through utilization of acquired resources, regular as well as extra-budgetary, to strengthen its ability to intervene," Mr. Hansenne

points out. "Child labour is extremely expensive, first of all for the children, then for society in general. Poverty is not a blanket excuse and there are limits to what a human society worthy of the name can tolerate. The current situation of *laissez-aller* has to stop. We must act now. The battle against child labour concerns all of us, above all the tripartite constituency of the ILO. The ILO is ready to aid by all means at its disposal those countries which wish to enlist its support in bringing this enterprise to a successful conclusion."

In the period 1992-93, the ILO launched and ***International Programme on the Elimination of child Labour (IPEC)***. Made possible by a large donation of the German Government, together with a Belgian contribution, this programme mobilizes at grass roots the forces best placed to translate ILO principles into practice: the governments, employers' and workers' organizations as well as NGOs in the field.

The ILO has not only set forth a complete judicial arsenal to fight against child labour, from as early as 1919, through Convention No. 138 and Recommendation No. 146 of 1973, but it also places the problem before the general public, raises awareness and denounces abuses. It also undertakes technical assistance in cooperation with member States which demonstrate a willingness to act against child labour.

Three types of actions which complement each other are encouraged by the ILO, in conjunction with governments, employers' and workers' organizations, and sometimes with the help of NGOs: First, the adoption of urgent measures to put an end to intolerable situations, such as the employment of children who are very young or in hazardous occupations; second, information and awareness measures attempting to change attitudes and behavioral patterns; and third, measures which without explicitly targeting child labour, act on its underlying causes-poverty, unemployment and lack of training of parents, inadequate social protection and educational systems, and passive acceptance and inaction in face of this problem.

INITIATIVES OF NGOS TOWARDS ELIMINATION OF CHILD LABOUR

NGOs have a vital role to play towards combating child labour. A number of innovative projects launched by NGOs show their continuous effort in this direction and prove that social mobilization and community participation can result in the making of child labour free society. The need based approaches adopted by these organisations to tackle the existing child labour phenomenon and preventing future entry of children in the labour market are based on strategies evolved after analysing situation of working children and assessing the magnitude.

ACTIVITIES INCLUDE:

- Situational Analysis of Child Labour
- Awareness Generation
- Counseling
- Social Mobilisation
- Encouraging Community Participation,
- Facilitating dialogue among different sections of the population on the issue of child labour
- Releasing children from work
- Setting up of night shelters, drop-in centers, half-way half-way homes etc.
- Skill Development and income Generation Programmes for parents of child labour.
- Motivating children released from work and providing education
- Preparing educational kits
- Mainstreaming children into the formal schooling system
- Providing Vocational Training
- Enrolling children in school and ensuring their retention
- Monitoring functioning of schools
- Creating conducive atmosphere for prevention and elimination of child labour.

Box 1 (ii) : SOME NGOs INITIATIVES

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| <ul style="list-style-type: none">• The NGO Forum for Street and Working Children, established in 13 cities, with more than 60 organisations working with street children, has played an important role in awareness building and empowerment of street children. The primary objectives of this group are to promote networking and co-ordination among NGOs, groups and individuals concerned with street children and to initiate and promote a common programme of action in the areas of health care, education, awareness-building, etc.• The <i>Bachpan Bachao Andolan</i> came into being during the Uttar Pradesh Legislative Assembly election in 1993. It emerged as a strategy by the | <ul style="list-style-type: none">• The project is operational in 10 <i>mandals</i> and 300 villages of Rangareddy districts. Over 80,000 children in the 58 age group have been enrolled into schools and have been retained. These include 1200 formerly bonded children and 25,000 adolescents girls who have been released from work and have been enrolled and retained in schools. Over 500 teachers were appointed through the Parent-Teacher Association / Community / Gram <i>Panchayat</i> support. Over 1200 para-teachers, 7000 youth volunteers and 300 government teachers have |
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emerged as a strategy by the South Asian Coalition of Child Servitude (SACCS), a Delhi-based NGO, to inject the issue of child labour into the electoral campaign. This group organises direct action like raids and freeing children from bondage; mobilising public opinion on the issue and building pressure groups for an effective implementation of child labour laws and rehabilitation schemes.

- The *Andolan* has State units in UP, Bihar, Madhya Pradesh, Rajasthan, Maharashtra, Haryana and Delhi. SACCS is the first Asian joint NGO initiative against bonded child labour and servitude. The initiative has freed more than 27,000

been motivated and trained by the M V Foundation, and they in turn have motivated parents to release their children from work and send them to school. Strong community participation is the hallmark of the programme's success. Parents committees and village level committees were formed to help the local community understand the importance of educating their children. An advocacy campaign was launched in the community and as part of this, posters, handouts, spots in the electronic and print media were used to raise awareness of

children from servitude through raids and with the help of Supreme Court and High Court orders-from the carpet, glass, brick kiln, stone and construction sectors. The group has developed the Rugmark label. Besides, it has also set up 14 nonformal schools for working children and two rehabilitation centres for freed child labourers.

- The Campaign Against Child labour (CACL), initial in 1992, is a nationwide effort seeking eradication of child labour. It is one of the most significant advocacy campaigns, and addresses the question of child labour as a violation of basic human rights. Its major focus is on the mobilisation of public opinion for the eradication of child labour;

raise awareness of parents and teachers about the importance of universal primary education.

- The *Pratham* Mumbai Education Initiative adopted the plan of using early childhood education as a stepping stone to universalise primary education when it started work in the city of Mumbai. Begun with UNICEF initiative, *Pratham's* defined objective is to ensure that all children in the age-group of 3-10 years in Mumbai city are enrolled in pre-school centres or primary schools. *Pratham* has developed a low-cost and effective model for

establishing linkages with other issues, movements and struggles; and intervening in specific cases of child rights violation. At present, CACL is active in 12 States of India. Within a short span of eight years, it has succeeded in building up a network of more than 500 social action groups, voluntary organisations and activists to work together on the issue of child labour. A two-pronged advocacy strategy has been adopted—that of building public opinion on child labour and using both conventional and non-conventional media, and of persuading the Government to enforce existing laws and to enact legislations to ensure the rights of children

- The M V Foundation,

ECCE that is community based.

- The *Mabadi* (our school) project in Andhra Pradesh has set up schools run by the local community with support from the Integrated Tribal Development Authority (ITDA). *Mabadi* is a full-time school and has classes upto class II. After completion of the course at *Mabadi*, the teachers encourage parents to admit their children to the nearby *ashram* or residential schools. A local youth who has received education upto class VII is appointed by the village education committee (VEC) to teach in the school.

<p>established in 1981, has been combating child labour and providing non - formal education, particularly for girl children and bonded labourers in the agricultural sector of Rangareddy district of Andhra Pradesh for over a decade. The child labour project was instituted to provide non-formal education to working children and thereby to motivate them to enroll in regular schools.</p>	<ul style="list-style-type: none"> • The <i>Lok Jumbish</i> (people's movement) project in Rajasthan tries to address the needs of children who have been left out of the mainstream educational system through the <i>Sahaj Shiksha Kendras</i> (non-formal learning centres).
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Rajasthan, which has a network of NGOs, departments, corporations and media in 10 districts for children in need-of special protection measures, a network for children in need of special protection measures, a network of NGOs on disability and a major network of NGOs in 15 districts working for street and working children.

Andhra Pradesh, where the Andhra Pradesh Child Rights Forum (APCRAF) has a network of 360 NGOs from 20 districts involved in training NGOs on the CRC and awareness and

dissemination activities at the community level. The Andhra Pradesh Alliance for Child Rights (APACR) has 250 NGOs in 17 districts and has been involved in training and dissemination activities.

Gujarat, where NGO Forums for Child Rights have been set up in Ahmedabad and Vadodra with about 65 NGOs which have familiarised themselves with the provisions of the CRC and have begun to review implementation of CRC in the State.

Tamil Nadu where NGO networks campaign against child labour and bonded child labour, sex-selective abortions, foeticide and infanticide. NGOs are active partners in the implementation of various programmes in the State. NGOs run a large number of programmes, including setting up and running of crèches, nutritional centres, orphanages, juvenile guidance bureau, programmes for street and working children, and drug de-addiction programmes. These programmes are supported by the State Government of Tamil Nadu and the Central Government. NGOs are also involved in the high level committee for adoption, juvenile welfare board, etc.

Maharashtra, where the Forum Against Child Sexual Exploitation (FACSE) has prepared a State Plan of Action in collaboration with the Government, NGOs and UNICEF to place mechanisms in schools and hospitals to tackle the problem. ARC, Action for Rights of the Child, started in 1989, has made

significant contributions to promoting the rights of marginalised children to education.

Bihar, where seven Child Rights Collectives have been formed at Saran, Siwan, Patna, Nalanda, East Champaran, Begusarai, and Vaishali.

Uttar Pradesh, where an NGO network on child rights has been announced with a membership of around 100 NGOs and will become operational shortly.

A comprehensive review of the education situation was held in New Delhi in November 1999 by the education departments of the Centre and all the States UTs. Representatives from professional bodies and NGOs also participated in the review, which identified the steps to be taken. These were:

- Amend the Constitution to make elementary education a fundamental right of all children up to the age of 14 years;
- Enact legislation for providing free and compulsory elementary education to all children in the age group of 6-14 years; .
- Facilitate greater participation of the non-governmental sector in education; . Launch the *Sarva Shiksha Abhiyan* at district-level for convergence of diverse programmes in elementary education to facilitate

decentralised planning, improvement of delivery system, enhancement of people's participation and improvement of capacities of PRIs to manage and supervise local schools; and

- Make a concerted effort to fulfil the mandate of the Disabilities Act, 1995, to provide free education to all children with special needs up to the age of 18 years, through an inclusive approach and a strong partnership with reputed and committed NGOs.³

Participation of child workers at local level

It has not been common to find the formal involvement of children and young people in local representative structures involved in developing planning initiatives or policy. While occasionally young people's views are sought, this tends to be in a one-off and informal way rather than leading to the development of structures to ensure their representation. The number of examples of local representative bodies developing more formal structures to accommodate children and young people's points of view on their situation, including work, has been increasing (Miljeteig 1999; Moran 1998). One example of a local organisation has been in Southern India. An NGO called Concern for Working Children (CWC) assisted working children and young people develop their own organisation, Bhima

Sangha. Part of this work has been facilitating children to leave work that is dangerous and obtain education or training in relevant, culturally appropriate skills. Bhima Sangha groups have also been supported by CWC in putting their views to village councils where such views have been positively received and acted upon (Marcus 1998). A common goal has been to support children in their day-to-day lives. This is often done through small focused discussion groups inspired by the Participatory Rural Appraisal (PRA) approach used by many NGOs in developmental work (Chambers 1997). Children who have participated have commented on how the experience has increased their self-confidence. Some have benefited from what they have learnt about their society in such groups. In fact Manthoc has as part of its aims to adopt an educational approach which raises awareness about society and gives information and develops relevant skills. In several such organisations there is informal learning in vocational skills.

A question has been raised as to whether a separate Action Plan for achieving child rights is required. This chapter has brought out the wide array of initiatives in India, from the Constitution to legislative support to programmes and policies. Nonetheless, gaps in the actual realisation of rights do exist for a very large number of children. An Action Plan that would enable all partners such as the Government and civil society to

maximise the benefits of all efforts, rather than reiterate existing provisions, would be of immense value.

It is abundantly clear that much more-in terms of resources, capacity and commitments is required if India is to realise the goals for children. While in terms of percentages, India has recorded fairly impressive gains, in absolute numbers, the children who are deprived of their rights in India is staggering. For instance, there are over 17 million child labourers at a conservative estimate-more than three times the population of Denmark. With respect to child labour elimination and tackling the debt-poverty-illiteracy cycle, it is imperative that steps are taken to break the vicious cycle through multi-dimensional interventions through constant dialogues with employers, international agencies and NGOs. At the present pace, the burgeoning population will always be ahead of all development and it is imperative therefore, that the speed of social sector development is increased.

Voice of Children

- Children say they should not be forced to work. All child labourers must be cared for and allowed to go to school and learn skills for life.
- Children want peace, and violence frightens them. Many children are orphaned or get hurt and have emotional and psychological problems.

- They have to leave studied and work at home.
- Parents who do not send their children to school should be language.
- Parents who do not send their children to school should be punished.
- Sale of alcohol, drugs and addictive substances should be banned. Parents should not drink alcohol or take drugs. They should not beat children, and send them to work because they do not earn themselves or make them want to run away from home.
- The police harass street and working children. The police and others working for children should be friendly and trained to be helpful. There should be shelter for children so that they can be safe at night.
- Children wanted employers of child labour punished.
- Elders should provide opportunities for children to participate. This increases the confidence of all children, especially girls.

Excerpts from the four regional NGO consultations, October 30-November 12, 2000"

OBJECTIVES OF THE STUDY

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1. To study the socio-demographic profile of the respondents.
2. To study the socio-economical, psychological factors which are responsible for the problem of child labour.
3. To identify various issues in relation to child labour.
4. To study the various forms of exploitation of child labour .
5. To assess knowledge and perception of respondents about various regulations regarding Child Welfare, Child Rights and Legislation for prevention of Child Labour.
6. To suggest measures for the improvement of conditions of child labour.

RESEARCH METHODOLOGY

RESEARCH METHODOLOGY

Research is the systematic method of investigating and analysing the facts. It aims at the solution of the human problems or to derive approaches for the solution. Research is the use of the Scientific method in the search of knowledge including knowledge of alternate practice and information techniques, which would be of direct use. Research is the species that belongs to the genus social research or more specifically reformed to as Social Science Research. Thus research in the Social Science is research in the research in behavioral and personality aspect of social functioning.

Research Methodology is a systematic approach or procedure in conducting research. Methodology acts as the guideline and road to the completion of the research project through collection of data and observation. Research study is a formal, systematic, intensive and purposeful investigations of the collected facts, with the area of determining cause and effect relationships among such facts from research. It helps the researcher to reach upto some conclusions, which can be useful in this field.

Every research is based on certain methodologies without which on research work can be complete. Researcher has adopted a method to carry out the research work, which was

bound to be suitable. Its a detailed study, based on scientific description.

Universe of the study:

Jhansi district of Bundelkhand constitute extreme southwestern part of the state of Uttar Pradesh. The land in this area is mostly uneven, rocky and is at places studded with thick forest and ravines along the banks of the rivers. The earth table is shallow with huge rock underneath. Inspite of its great historical importance, the division is rather backward and underdeveloped. This is mainly because of the lack of education literacy level is very low people are engraved in vicious cycle of poverty.

The child population of Jhansi district is 4,38,923. 2,34,711 males 2,04,212 females (According to Census 2001). The population density of the region is not very thick. 105 people per Sq. Km, which is much less as compared to 377 people per Sq. Km. of the rest of the state About 2/5th of the population is urban and remaining more than 3/5th being rural in domicile. About one fourth population constituted by schedule caste, which is higher than other part of the state.

Many people have migrated from near by villages to urban area of the district in search of employment along with their families. They are entrapped in poverty so along. with parents children are also engaged in work thus leading to child labour.

Mostly these children are below 14 years of age and are involved in different types of economic activities. Not only migrated population engaged in Child Labour, children from the Urban area were also involved in some or the other economic activity to earn their livelihood.

The study was limited to urban area of Jhansi District. The universe covered the Child Labours below the age of 14 years, involved in different employments. The Child Labour population of Jhansi - District according to census 2001 is 12,244 out of which 7028 males and 5216 females Work Participation Rate in person is 2.8, males 3 and females 2.6.

Sampling Procedure :-

When the part of the Universe taken as the representative of the whole, the study is called sampling study.

There were total 300 respondents selected by the researcher. Total 300 respondents were selected by the researcher using Simple Random Sampling Technique. According to Labour Office of Jhansi District there were 650(approximately) Child Labours in 2002 survey involved in different employment activities like beedi making- 230, mechanical/ electrical works- 180 and other areas-240. Sample was selected as 100 from beedi making, 74 from mechanical/ electrical works and 126 from other areas, nearly 50% of the Universe through Lottery Method. Rest addresses and

information was not available. So total 300 respondents from different areas were taken as sample. The limitation of time and money has not permitted the researcher to study the whole universe. So the researcher studied only 300 respondents.

Research Design :-

Designing is a preliminary step in every activity. It provides a picture for the whole before starting of the work. The researcher has used descriptive design for gaining experience. It also includes survey, selection of respondents and proper questioning etc.

This type of study determines the frequency with which something occurs or its association with something else. The aim of this research study is to obtain complete and accurate information.

Method of Data Collection :-

In social research there is felt need of collection of social data. An investigator collects these information through various sources. For which there are four instruments by which data can be collected. Researcher should adopt a systematic technique so that reliable, correct and adequate data, which are needed, can be gathered to avoid heaps of data. The instrument used for it was schedule; as described (Bogarduas, 1935). The schedule represents a formal method for securing facts that are objective

form and easily descernible the schedule is filled out by the investigator herself.

The interview schedule was prepared by investigator herself with the help of relevant literature, considering objectives of the study and in consultation with her supervisor. The schedule for the purpose of present study provided the information on the general characteristics of the respondents such as socio-demographic, various issues, socio-economically-psychological factors responsible for problem of child labour. Information about perceptions regarding various Acts/ Regulations, for prevention of child labour etc were also collected.

Interview Technique :-

Prof. Allport said, " If we want to know, how people feel, experience what they keep in their remembrance, their sentiments and objectives of life, why do not ask from them. " Regarding the interview technique V.M. Palmer rightly said, " The interview constitute a social situation between two persons by psychological process involved requiring both individuals mutually respond through the social; research purpose of the interview call for a very different response from the two parties concerned (Palmer, 1928.)"

The researcher interviewed individual respondents at their work place, homes, streets depending upon the availability of the respondents. Sometimes researcher took prior permission from

the employers of the child labour to interview them. After informing the purpose of the survey and were assured that information given by them would be treated confidentially.

The respondents interviewed to get the factual information regarding the study. Sometimes researcher also used observation technique regarding data collection .

Data Processing :-

The fundamental need of the processing of data is that collected data will remain meaningless and researcher would be unable to sort out any result. It is the reason Young called processing of data in the creative aspect of research (Young 1960). He further highlights on the importance of processing of data, " Science is built with facts as a house is built with stones, but a collection of facts is no more science than a heap of stones in a house. Theoretically processing of data consists-compilation, classification, tabulation, analysis and interpretation of data. It is advisable to a researcher to prepare an outline processing of data. Outline is in reality a preliminary classification of data which helps in recognising of important data, Rober E. Chaddock (1925) wrote, " Classification is especially important in the Social Sciences because of the many factors affect a given situation and because the measurement show such wide variation."

keeping in mind above consideration, researcher systemized, synchronized and limited the heaps of information on the basis of big issuer, characters and items of similarity.

To make clear and understandable data in social research after classification of information the work of tabulation is carried out. Dr. J.C. Charturedi (1954) highlighted that the process of arranging the data in an orderly manner into rows and columns capable of being read into two directions is called tabulation.

Researcher also arranged data after the process of classification into tables to make more clear and understandable, to exhibit characteristics to make them comparable and to summarize them.

Because of systematic analysis of data makes and edifice and formulate organization of idea, which helps in keeping the collective data in their respect columns so that generalization can be done, that is why without the analysis of data one can not seek relationship between cause and effect of the phenomenon (Young, 1960)

Source of Data :-

Without real information and data social research is just like a handicapped individual. The success of research study is based on success of surveyor to collect reliable information this success is depended on believable source of data. So the

importance of source cannot be lesser. There are many sources of data about which knowledge of investigator is essential. Otherwise he will consume more time and make more expenses (Palmer, 1928).

Mostly two types of information are needed for any research work i.e. primary and secondary data. Primary data which are collected from the field through interview schedule or questionnaire from such peoples who have knowledge about the subject along with what are important stages of social process and can indicate about observable trends (Mukherji, 2001)

Secondary data are collected from published documents, reports, autobiography, diary and letters. In present study, researcher collected information from various books published by Labour Institutes, Government, research reports of Government, census records, District Gazettes.

Observation technique were also deployed to review the literature. Secondary source of information were also collected from different Journals, Newsletters, Statistical Reports and National , International Programme Reports.

Chapter-II
REVIEW OF LITERATURE

Chapter-II

REVIEW OF LITERATURE

A few studies regarding child labour have been conducted to know under what circumstances, working conditions and environment, the children have had to work. Many research studies have been done on the Child Labour India and abroad. But no study has been conducted in Jhansi on the Problems of Child Labour in Jhansi city. In this Chapter, an attempt has been made to present, in brief, a review of selected studies which, I feel have direct or indirect relevance to present investigation. This is likely to provide a glimpse of the problems faced by the Child Labourers in different occupations and processes.

Labour list

The following table lists estimates that have been made for child labour in the nations with the largest under-16 populations.

China	No data
India Ministry of Labour, 1987-1988 (2)	17.5 million
Baroda Operations Research Group, 1983 (2)	44.0 million
Bangalore Center for Concern for Working children, 1994*, Based on children out of school (2)	100.0 million
Indonesia ILO, 1992. Ages 10-14 (1) Population census, 1990. Ages 10-14 (2) UNCHR, 1994*. Ages 10-14 (3)	2.3 million
Pakistan Pakistan Labour Force Survey, 1990-1991. Ages 10-14 (2)	2.0 million
ILO, 1993*, Bonded child labour (4) Pakistan Institute of Development Economics, 1994.	7.5 million 19.0 million
United States National Safe Workplace Institute, 1993*. Ages 12-17 (5)	5.5 million
Brazil Brazilian Institute for Geography and Statistics, 1994. Ages 10-13 (2)	2.0 million

UNCHR, 1994* (3)	7.0 million
Nigeria UNCHR, 1994* (3)	12.0 million
Bangladesh Bangladesh Bureau of Statistics, 1990. Ages 10-14 (2) ICFTU, 1993 (2)	5.7 million 15.0 million
Mexico ILO, 1993*, Ages 12-14	1.3 million
Russian Federation	No data
Iran	No data
Viet Nam Philippines Philippine Department of Labor and Employment, 1991. Ages 10-17 (2) Philippine Department of Labor and Employment, 1994 (2)	No data 2.2 million 5.0 million
Egypt ILO, 1991. Government Survey, 1988. Ages 6-14 (2)	0.4 million 1.4 million

Homer Folks (1946), Chairman of the United States National Child Labour Commission, defined child labour as 'any work by children that reveals that Child Labour interferes in children full physical development and their opportunities for a desirable minimum level of education or their needed recreation'

Qureshy (1979) reported that children who were engaged in the labour force had to work from 10-15 hours a day under unhealthy conditions. These children were of 7-14 years of age.

Kumar (1983) pointed out that India cannot afford to neglect its children who are the important wealth of a nation. It is, therefore, the duty of the Government to chalk out programmes to ensure that the country's children do not face such environment which interfere with their physical, moral and mental development.

Murthy and Rai (1983) pointed out that the labour policy of government was to protect children below 14 years from exploitation. These children seek jobs due to poverty, lure of the city life and payment of loans their parents have taken.

Social Welfare (1983), in their study regarding child labour has estimated highest percentage of child labour, where children are mainly engaged in carpet weaving industries.

Kaur (1984) illustrated that large proportion of working children belonged to age group of 12-14 years who were mainly employed in unskilled activities as domestic workers and agricultural labourers. The main reason for employment were low family income, large family size and hereditary of parents occupation.

Jasbir & Nath (1984) conducted a study on factors responsible for the child labour in the rural Haryana and

concluded, that almost all the children worked due to poverty, large family size, death of elder earning family member, etc.

Burra (1986) had found that-most of the children working in match factories belonged to the weaker sections of the society. Their parents were the small land-holders who were unable to cultivate land because of lack of irrigational facilities.

Menon (1986) investigated that hunger and indebtedness of the parents forced the children into adult occupation. Landless families living in villages, were relatively poor and they had a large number of children. Consequently, per capita earnings of such families was low. So they were compelled to send out their children for labour job in order to meet the basic requirements of life like food, shelter and clothing.

Nangia (1987) observes that, Poverty itself has underlying determinants, one such determinant being caste. When analyzing the caste composition of child labourers "if these figures are compared with the caste structure of the country, it would be realised that a comparatively higher proportion of scheduled caste children work at a younger age for their own and their families' economic support" (p. 116). Scheduled caste (lower caste) children tend to be pushed into child labour because of their family's poverty. Nangia (1987) goes on to state that in his study 63.74% of child labourers said that poverty was the reason they worked (p. 174).

Natrajan (1987) observed that steps have to been taken to protect the Child Labour from being exploited by restricting the working hours and fixing a minimum wage. Government must take steps to educate the workers in the safety matches about the various provisions of acts and laws which pertain to the protection of working children.

Kanbarsi (1988) conducted the study to understand the linkages between Child Labour and fertility. The study reported that the age and sex of child seemed to play an important role in determining the child activities. The children put in an increasing amount of time or more productive activities as they grew. The number, of children working for wages was significantly large among 12-14 years age group. On an average, boys in the 5-7 age group put in about 2 hours per day in various productive activities while the figure go up to 5 hours and more for 12 to 14 years old boys. Girls on the other hand worked for longer hours in all the age groups compared to boys, though the nature of work differed. Boys worked on farms, tending cattle for wages while girls spent more time on looking after siblings, on the preparation and selling of food, washing, cleaning, sweeping and the household chores.

Khan (1988) observed that the problem of Child Labour was both large and wide-spread is India. It is, therefore, suggested that education should be made free and compulsory.

This would be a major step towards the elimination of this, so called necessary evil and thereby save these children from a social drudgery, thus, giving them a chance to grow up in the cradle of love, care and education, the birth right of every child.

Tripathy (1989) : illustrated that main factors for Child Labour included large family size, poverty, indebtedness and illiteracy. These children worked under conditions detrimental to their health, welfare and development. The employment of children at an early age hampered their efficiency as well as their mental, physical and psychological growth.

Nayar (1989) The Government of India has taken the view that Child Labour was a result of poverty and since poverty cannot immediately be eradicated, it would be appropriate, in the short run to prohibit children from taking to hazardous occupations and processes and to regulate their working conditions in the non-hazardous ones, through legislation.

Benjamin (1990) conducted a case study on the problems of child workers of canteen in educational institution. It was found that mostly the child workers were from V.P. and almost no one had gone to school. Only five of them have studied upto third standard and they have had to work in canteen for 10-13 hours daily and they got half hour for lunch break. They were getting Rs. 100 to 200 per month and they had to work under unfavourable conditions.

Srivastva and Bhanurnati (1990) conducted a study in three unorganised sectors (domestic, agriculture and hotel services). Three hundred Child Labourers in the age group of 7 - 14 yers were interviewed. It was found that majority of domestic child workers were engaged in sweeping the house (82%), cleaning vessels (61 %), washing clothes 'I (52%), and cooking (43%). The agricultural Child Labourers helped in weeding, plucking, chillies (86%), helping in harvesting (82%) and breaking groundnuts (70%). The hotel Child Labourers cleaned the tables (94%), floors (84%) and vessels (61%).

Nayar (1991) illustrated that girls were being pushed to employment for full time more than boys, which reduced and developmental opportunities for girls. By age of 10-12 years girls were engaged in domestic work for about 8 hours a day. Beside this they were working as agricultural labourers and were also employed in small scale industries. Most of the working girls were illiterate. Employment at tender age lead to malnutrition, occupational and psycho-social hazards resulting into diseases of various nature.

Carpet a world, 1991 Another study concludes that the law is considered as totally impractical in an occupation where people along with their children work in their residence and get paid for the work done. The study also examined the extent of exploitation of children. Working at home, their opportunities

for education, deprivation of a normal physical and mental growth and the role of legal provisions.

Weiner (1991) Observed, The Sri Lankan government decided to enforce compulsory education in the 1920's and 1930's (Weiner 1991,173). With this compulsory education policy, school participation rates rose from 58 percent in 1946 to 74 percent in 1963 (Weiner 1991,173). The literacy rate also increased from 58 percent in 1946 to 86 percent in 1984 (Weiner 1991,172). The corresponding result has been that the employment rate of children in the ten to fourteen age group has shown a substantial decline from 13 percent in 1946 to 6.2 percent in 1963 (Weiner 1991, 174), and currently stands at 5.3% for males and 4.6% for females (International Labour Organization 1995, 113). These trends lead Weiner (1991) to the conclusion that "Sri Lanka has achieved a remarkably high enrollment rate, high retention rate, and a corresponding decline in child labor" (p.175).

Weiner 1991, reported that, the Indian state of Kerala distinguishes itself from the rest of India with its educational system. The government of Kerala allocates more funds to education than any other state, with a per capita expenditure of 11.5 rupees compared to the Indian average of 7.8 rupees (Weiner 1991,175). It is not only the expenditure of more funds, but where the funds are used that make the difference. Kerala

spends more money on "mass education than colleges and universities" (Weiner 1991, 176). No correlation exists between expenditure on education and literacy when comparing different countries because some countries, such as India, spend more funds on higher education than primary education (Weiner 1991,160). Kerala's emphasis on primary education has lead to a dropout rate of close to 0%, a literacy rate of 94% for males and 86% for females (The World Bank 1995,113), and a low child work participation rate of 1.9% (in 1971) compared to the Indian average of 7.1% in 1971 (Weiner 1991,175). Weiner (1991) points out that "The Kerala government has made no special effort to end child labor. It is the expansion of the School system rather than the enforcement of labor legislation that has reduced the amount of child labor" (p. 177).

Fernandes (1992) studied the working condition of children. He analyzed the process of entry of children into the work force and the exploitation they faced. He found that low wages and efforts to keep children illiterate showed that the interest of employers were vested. According to him, it was necessary to impose a ban on hazardous industries. Also the constitutional directive making free education compulsory till the age of 14 years needed to be implemented with vigour.

Chandra (1992), observed contribution of child labour in his study found that about 20% of Indian Gross Net Production

(G.N.P.) child labour work 12 hours at an average everyday.

Juyal, 1993, A study conducted by 120 report that child labour were were employed in carpet industries because of the industry's desire to prevent juvenile vagrancy ad to lesson the economic burden of poor families. The study has tried to explain if the pressure from the industry had forced the government to enact a law, which excluded children working as a part of family labour from its purview. It has also looked into the extent of compliance of the common minimum programme's Mandate of eliminating all forms of child labour, both in hazardous and non-hazardous occupations.

Sharma (1993) stated that a substantial number of children below 14 years worked as domestic servants. Working couples prefer employing young girls for household chores. The main factors responsible for the high proportion of child labour in Jammu and Kashmir were economic backwardness, low literacy among parents, high school dropouts and a bleak employment outlook. Common complaints made by children included low wages, long working hours and over-crowded poorly lit, badly ventilated and insanitary premises.

Street Girls of Delhi (1993), it was estimated in its study that 13 girls out of 20 were of such families whose monthly income was less than Rs.100. 14 girls were child labours and -beggars. Most of them started working in the age group of 8.

years. 18 out of 20 were illiterate and only two have passed class third.

Manvi (1993) in its pilot survey on wandering child labours estimated that 34% of child labours were below 10 years and 66% were between 10-14 years. If we see the social status of these children it was 56.86 % SC, 36.28% OBC, 3.17% GEN & 3.69% of Muslim Community. It is clear that more than half belong to SC and about 1/3 rd belong to OBC. Out of 758 Child Labours 504 were suffering with different diseases, out of which 213 were suffering with Tuberculoses, 146 with Asthma and rest with other diseases.

Arimpoor (1994) remarked that this struggle for the elimination of Child Labour is not going to be complete overnight. It's a long drawn out battle, maybe of decades. The liberation of Child Labour cannot be achieved without adequate institutions. It's not just, a choice, not an optional luxury but it's a necessity and the basic foundation - the hibernation of man, particularly of children who are deprived of basic human rights.

Saini (1994) said that the problem of Child Labour in India is very acute. The National sample survey in 1983 estimated that there were 17.36 million Child Worker in India in the age group of 5 to 15 years. It had been estimated by the Planning Commission that by the year 2000.

India will have around 20 million Child Workers (UNICEF, 1994). Most of the children belonged to families that were extremely poor, they work in highly stressful and exploitative conditions included bonded situations.

Sundaram (1994) remarked that so far as Child Labour was concerned, the Government had to take bold decisions. One way of tackling the problem was to make primary education compulsory. The more will achieve the laudable objective of universalizing elementary education, besides, reducing the incidence of Child Labour.

Saur (1994) conducted study on girl children in India and concluded that they work in over-crowded, poorly lit, badly ventilated and worst hygienic conditions, without any recreation, leisure and health facilities. They suffered from malnutrition. They worked for longer period, more prone to diseases, hard physical labour leading to premature death.

Venkateshwaran (1994) said that estimated number of working children revealed that India had the largest number of working children in the world and accounts for more than 33 per cent of the Child Labour force throughout the world. Within India, more than 20 per cent of the Gross National Product (GNP) of the country was estimated to be contributed by Child Labour.

Dhillon et al (1995) conducted a study on 180 children who were working in skilled and unskilled activities. The study

revealed that female children started working at the age of 6 years. The majority of them were in the age of 12-14 years. They were employed on daily, monthly and yearly basis and were paid according to the amount of work done by them and had to work atleast for 10 hours a day and were contributing Rs.800-1600 annually towards the family income. Main reasons for employment of girl child were unsound economic conditions of the family, rising price of consumable goods, irregular income of the family, too large family to support, chronic illness in the family, untimely death of the bread winner and children not having interest in studies.

Mehra Kerpelman 1996, 8 in his study said, "Poverty has an obvious relationship with child labour, and studies have "revealed a positive correlation - in some instances a strong one - between child labour and such factors as poverty"

Human Rights Watch 1996, 17. The combination of poverty and the lack of a social security network form the basis of the even harsher type of child labour - bonded child labour. For the poor, there are few sources of bank loans, governmental loans or other credit sources, and even if there are sources available, few Indians living in poverty qualify. Here enters the local moneylender; for an average of two thousand rupees, parents exchange their child's labour to local moneylenders. Since the earnings of bonded child labourers are less than the

interest on the loans, these bonded children are forced to work, while interest on their loans accumulates. A bonded child can only be released after his/her parents makes a lump sum payment, which is extremely difficult for the poor.

Bhatty (1996) remarked that Child Labour is a less phenomenon of poverty than of social attitudes and responsibilities. Learning skill through education is a sure way to break the cycle of Child Labour and low income. So far Child Labour has been accepted in India because it is believed to have an economic basis that fits into a demand supply framework.

Paniker (1996) analysed no simple formula exists to remove the incidence of Child Labour. And in finding solutions, two factors need to be asserted - Child Labour is a source for and contribution to the subsistence of the family and Child Labour as an apprenticeship to learning skills and upward mobility in the labour market. The problem of Child Labour in hazardous industries deserves immediate attention. It cannot be argued that this should be tolerated until total elimination of Child Labour is achieved. A series of initiation ranging from better monitoring of implementation of legal restriction to emphasis on poverty alleviation measures and overall development programmes are called to families of children already in employment will not tackle the vast reservoir of Child Labour power that could continue to be available if the socia-

economic profile of the catchment areas was not addressed.

Tiwari (1996) pointed out that it is necessary the Government should work in collaboration with International Labour Organisation (ILO) and other relevant non-government organisations and come out with more effective and successful non-formal education programme tailored to the needs of particular groups of child workers. There should be national policy for this. Now, as the years are passing by, we must redouble our efforts on behalf of all the children, who continue to be deprived of their most basic rights in many spheres.

At the Exeter International Conference on Children's Rights in 1992, Aracelli Brizzio de la Hoz presented a paper on research in Mexico City interviewing children who lived or worked on the street (de la Hoz and Martinez Morales 1997). A census indicated that, in the area under investigation, over 11,000 boys and girls between the ages of 5 and 17 worked on the street, over a thousand of whom had no family connections at all. A selected sample from this population was interviewed. for over half of this population, poverty had impelled them to work, limiting their education. The interviews gave some insight into the experiences of these children and what they felt was important in life as the saw it.

Mohanti (1997) concluded that children enter the labour market to help poverty affected families, to repay long standing

family debts, due to sudden death of the bread winner of the family or sometimes when they run away from the families due to personal or caste exploitation. The situation of girl child is made worse by economic disadvantages. The process of socialisation isolated the girl child from education, health care and adequate nutrition and she is denied even those rights which are available to her brothers. Children of ethnic minorities especially girls were exploited unmercifully in many industries. Sometimes sexual abuse is also inflicted on girl children.

Joshi (1997) observed that UNICEF report on Child Labour in 1997 proposed six key steps that must be taken to address the situation - the immediate elimination of hazardous Child Labour, free and compulsory education for all children stringent anti Child Labour laws and their vigorous enforcement, registration of all children at birth, data collection and monitoring and lastly codes of conduct and procurement policies.

Sawhney (1997) analysed that additional fund to the tune of Rs.200 crore was required for complying with the supreme court judgment on the elimination of Child Labour according to a tentative estimate prepared by the labour ministry. About Rs.500 crore was required just to meet one directive of the supreme court under which either the State Government would have to provide the job for the adult members of the family of the child

withdrawn from work or alternatively it would have contribute Rs.5000 to the district level Child Labour Welfare-cum Rehabilitation Fund. Funds are also required immediately for survey and identifying of working children as according to the Supreme Court directive it was to be completed by June 10,1997.

Qualitative research was undertaken by **Save the Children in 1998** in four areas of the UK with young people between the ages of 11 and 16, Although this was a heterogeneous group there were great similarities across gender and ethnicity in their reasons for working and attitudes towards it and the jogs they do. Work played an important part in their lives, The motivation went beyond just money to the social aspects of the work, getting away from home, alleviating boredom and for some gaining experience, confidence and self-esteem, while it was a way of increasing their personal powers there were disadvantages: < often they did not feel the had been treated fairly as compared to adults and some of them had been exposed to dangerous and unpleasant situations. They made various suggestions, the strongest of which was for an official complaints procedure (Save the Children 1998).

Out of sight...out of mind...out of reach- A Study of Child Domestic workers in Chennai-India, **Arunadhaya, Centre for Street and Working Children, 1999** aimed at bringing the

problem of child domestic workers into focus and identifying the factors which contributed to the problem, so that appropriate programmes of intervention could be initiated.

Functionaries of NGOs working in the field of child development and a cross-section of the public, including professionals, parents, employers, advocates and trade union leaders were interviewed to elicit opinions the issue of child domestic work and their participation to charter future course of action.

The study found that children were set to work by compulsion and not by choice. They were found to have started working at a very young age. Parents did play a prime role in introducing children to the world of work. But among the residential child workers, the hand of outsiders engaged as 'recruiters' was evident. The study also showed that the literacy level of the parents has a direct influence on the education of the child.

Regarding terms of employment in the majority of instances (87 percent), there was no contract or agreement of any kind. Everything was informally negotiated, leaving it to the employer's discretion to the hire or fire the child worker.

By and Large, the child domestic workers appeared to have been well adjusted to the reality of their employment situation. The concept of child rights was unknown to 90 percent of the

children. The 10 percent who said that they have some knowledge of child rights said that children have the right to study, write, speak and play.

In Nepal, a multisector Nepalese team has been conducting child-centred participatory research since **1999 (Sharma, Nepal and Pandey 2001)**. Adverse publicity on child labour issues in the carpet industries resulted in the formation of the National Society for the Protection of Environment and Children (NASPEC), aiming to return children from hazardous conditions to a 'normal' way of life and undertake the necessary rehabilitative activities.

V.V. Giri National Labour Institute, 2000, some of the studies conducted by the VVGNI. On child labour show that child labour is not necessarily linked only to poverty or illiteracy, but also to absence of alternate source of income, opportunities and related infrastructure facilities.

Amartya Sen's lecture at ILO Geneva, says, "It is often claimed that the abolition of child labour will harm the interest of the children themselves, since they may end up starving because of lack of family income and also because of increased neglect. It is certainly right that the fact of family poverty must be considered in dealing with the issue. There is no escape from that. But it is not at all clear why it must be presumed that the abolition of child labour will lead only to a reduction of family

income and further neglect of children, without any other economic or social or educational adjustment. The case of a broader and more inclusive economic analysis and ethical examination is very strong in all these cases"

Different studies conducted on child labour, the facts discovered were that these children were truant, orphans, or destitute, poor and suffered with malnutrition and illiteracy. They are also physically, sexually and emotionally exploited and work unskillfully in unorganized sector. Some of them are indulged in gambling, smuggling drugs, alcohol and prostitution.

The brief review of literature on the subject has brought out many studies on Child Labour have been conducted throughout in India in various occupations and process like match and fireworks, carpet weaving, diamond industry, street hawking, cycle repairing, shoe-making etc. quite few studies dealing with various aspects of Child Labour have been conducted in Uttar Pradesh. But no study was ever conducted Jhansi on Problem of Child Labour in particular. Touching this sensitive issue, therefore, the present study has been designed to examine the various aspects of the burning and one of the most important problems on the current national agenda in district of Uttar Pradesh.

Chapter -III

SOCIO-DEMOGRAPHIC PROFILE
OF RESPONDENTS

Chapter -III

SOCIO-DEMOGRAPHIC PROFILE OF RESPONDENTS

Child labour is a source of income for poor families. A study conducted by the ILO Bureau of Statistics found that "Children's work was considered essential to maintaining the economic level of households, either in the form of work for wages, of help in household enterprises or of household chores in order to free adult household members for economic activity elsewhere" (Mehra-Kerpelman 1996, 8). In some cases, the study found that a child's income accounted for between 34 and 37 percent of the total household income. This study concludes that a child labourer's income is important to the livelihood of a poor family. There is a questionable aspect of this study. They are probably right: for most poor families in India, alternative sources of income are close to non-existent. There are no social welfare systems such as those in the West, nor is there easy access to loans.

The child labour problem may be looked at either from the supply side or from the demand side. the supply is determined by the income of the family of the given moment and conditioned by the cultural background of the parents.

In the immediate post independent India, people viewed the Indian state as an instrument of liberation, egalitarianism and enfranchisement of the under privileged, poor and deprived. But over time there has been a growing disenchantment about the role of the Indian State. Yes, we have progressed a lot in material infrastructure, growth of GDP and in terms of many such impersonal, indicators of advancement. Yet there is greater disparity and inequity today than, say , fifty years ago. About 36 percent of the Indian population is still living below the poverty line. In absolute numbers, the figure is almost the same as the total population of India at the dawn of independence.

Self- employed men and women and their children form a major segment of the poor and unorganized workers. They are the vegetable vendors, fruit hawkers, casual labourers standing near markets and bus-stands, rag pickers, waste paper pickers hand cart pullers, flower sellers, domestic workers, pavement cobblers- in fact, hundreds of men and women and children whom we see every day in the towns and cities, but whose plight makes no impact on us. These men, women and children earn an unsteady income. They work sometime just to render a service like strenuously pulling a handcart, or they produce an article mostly on contract for a trades who is offer a moneylender also. They have no fixed hours of work, no fixed income, practically no business relationships, and no protection of a

labour law. They are most often at the mercy of the traders who are the masters, for removed from the workers through a network of exploiting middlemen. Some workers in big cities have to face harassment by public authorities like the police. They are often asked to produce licenses which they do not have or even asked to vacate the space they occupy on the pavement because they obstruct traffic.

The beedi-making industry, though scattered over hundreds of small homes and huts, is nevertheless a money-spinning industry. The children engaged in beedi-rolling in Jhansi come from various communities. Many women who are widows or have been abandoned by their husbands are heads of their families and due to poverty they have to send their children to work and it is their income which supports the family.

There are various factors responsible for the problem of child labour. Socio-demographic characteristics play an important role in the growing problem of child labour. These characteristics include age, sex, religion, educational status, family size, economic conditions etc. Some of these are briefly reviewed here under.

AGE- Child labour can be categorized on the basis of age. According to The Child Labour (Prohibition & Regulation) Act, 1986, "a 'child' is a person who has not completed his/her fourteenth year of age." It is estimated that there is a total of 211

million children aged 5 to 14 at work in economic activity including unpaid and illegal work as well as work in the informal sector in the world in 2000. There are no significant gender differences in the global incidence of children at the work till the age of 14.

It had been estimated by the Planning Commission that by the year 2000 India will have around 20 million child workers (UNICEF, 1994).

Manvi in its pilot survey in 1993 on wandering child labours estimate that 34% of child labours were below 10 years and 66% were between 10-14 years.

The concept of child labour is economically unsound, psychologically disastrous, physical as well as morally dangerous and harmful. Some 180 million children aged 5 to 17 are believed to be engaged in the work forms of child labour-one child labour is 8 worldwide. Participation rate of economically active children between 10 and 14 years of age in South Asian countries in 1995 was 55.10 percent in Bhutan, 15-18 in Nepal, 30-18 percent in Bangladesh, percent 17.67% in Pakistan and in India it was 14.37% South Asia is led by India, which has 44 million child labourers giving it the largest workforce in the world.

Thus, age been the most important in problem of child labour , start of work at small age hampers the mental health

and physical health of the child. Work load and type of work hinders the proper development and growth of the child. In present study it is highest between 11 to 14 years of age It is 65.70%.

SEX- Sex of a child determines the ratio between boys and girls. Both male and female children were involved in child labour. Boys are engaged in outdoor activities and in shops like repair shops, puncture making shops, mechanical shops, sweetshops, on railway stations, work as vendors and hawkers. Girls are mostly engaged in house works, they work as domestic labours doing washing, cleaning, cooking and different household chores. Some girls are also involved in work like vegetable vendors, fruit vendors, hawkers etc. alone or with their parents. Some female child labour are exposed to different kind of abuses while doing domestic work.

Street girls of Delhi (1993) estimated in its study that 13 girls out of 20 were of such families whose monthly income was less than Rs. 10 14 girls were child labours and beggars. Most of them started working in the age group of 8 years. 18 out of 20 were illiterate and only two have passed class third.

In rural areas girls are involved in agricultural activities with their mothers but in urban areas girls become domestic labours, look after their siblings when their parents are out for work, they get no time to play, their nutrition level is also low,

these children worked under conditions detrimental to their health, welfare and development.

Nayar (1991) illustrated that girls were being pushed to employment for full time more than boys, which reduced and developmental opportunities for girls. By age of 10-12 years girls were engaged in domestic work for about 8 hours a day. Besides this they were working as agricultural labourers and were also employed in small scale industries. Most of the working girls were illiterate. Employment at tender age lead to malnutrition, occupational and psycho-social hazards resulting into diseases of various nature.

Kanbarsi (1988) conducted the study to understand the linkages between Child Labour and fertility. The study reported that the age and sex of child seemed to play an important role in determining the child activities. The children put in an increasing amount of time or more productive activities as they grew. The number, of children working for wages was significantly large among 12-14 years age group. On an average, boys in the 5-7 age group put in about 2 hours per day in various productive activities while the figure go up to 5 hours and more for 12 to 14 years old boys. Girls on the other hand worked for longer hours in all the age groups compared to boys, though the nature of work differed. Boys worked on farms, tending cattle for wages while girls spent more time on looking

after siblings, on the preparation and selling of food, washing, cleaning, sweeping and the household chores.

In present study 67% were males and only 33% females. This study was limited to 300 respondents out of which 99 were females who were working in domestic areas, in beauty parlours, vegetable and fruit vendors and even rag pickers.

RELIGION - Religion is one of the factor which shows the prevalence of child labour in the country. Our society is divided into different religions and castes, sub-castes. The main division of religion is Hindu, Muslim, Sikh and Christian.

Hindus are further divided into castes and sub-castes. Similarly, Muslims are also further divided into different castes.

In Jhansi district there are mostly Hindus and Muslims. Most of them are living below poverty line.

Menon (1986) investigated that hunger and indebtedness of the parents forced the children into adult occupation. Landless families living in villages, were relatively poor and they had a large number of children. Consequently per capita earnings of such families was low. So they were compelled to send out their children for labour job in order to meet the basic requirement of life like food, shelter and clothing.

In present study 83.70% Child labour belonged to Hindu community while 16.30% child labour belonged to Muslim community. Sikhs and Christians were not found in the study.

EDUCATIONAL STATUS- The Government of India is completely committed to universalization of Elementary Education. In 1997, the 83rd Amendment Bill was introduced in parliament to make education a fundamental right of all children between 6-14 years. Due to poverty children were engaged in different economic activities, these children are school drop-outs and many of the have never attended the school.

The concept of compulsory education where all school aged children are required to attend school, combats the force of poverty that pulls children out of school. Policies relating to compulsory education not only force children to attend school, but also contribute appropriate funds to the primary education system, instead of higher education.

Literacy level of the parents of child labours is also low, they are illiterates and they don't know the importance of education. Poverty compels them to send their children for child labour to meet their basic needs.

Table No. -1

Table showing Age-wise distribution of the Child Labour

Sl. No.	Age Group	Number	Percentage
1.	5-10 years	103	34.30
2.	11-14 years	197	65.70
	Total	300	100.00

It is evident from Table No. 1 that 65.7 percent child labour belonged to the age group of 11-14 years whereas 34.3 percent belonged to the age group of 5-10 years. The data shows that, majority of child labour belonged of teenagers group. Age of working child is an important factor to determine that whether the activity in which child is employed is suitable for his/ her age or not.

Table No. - 2

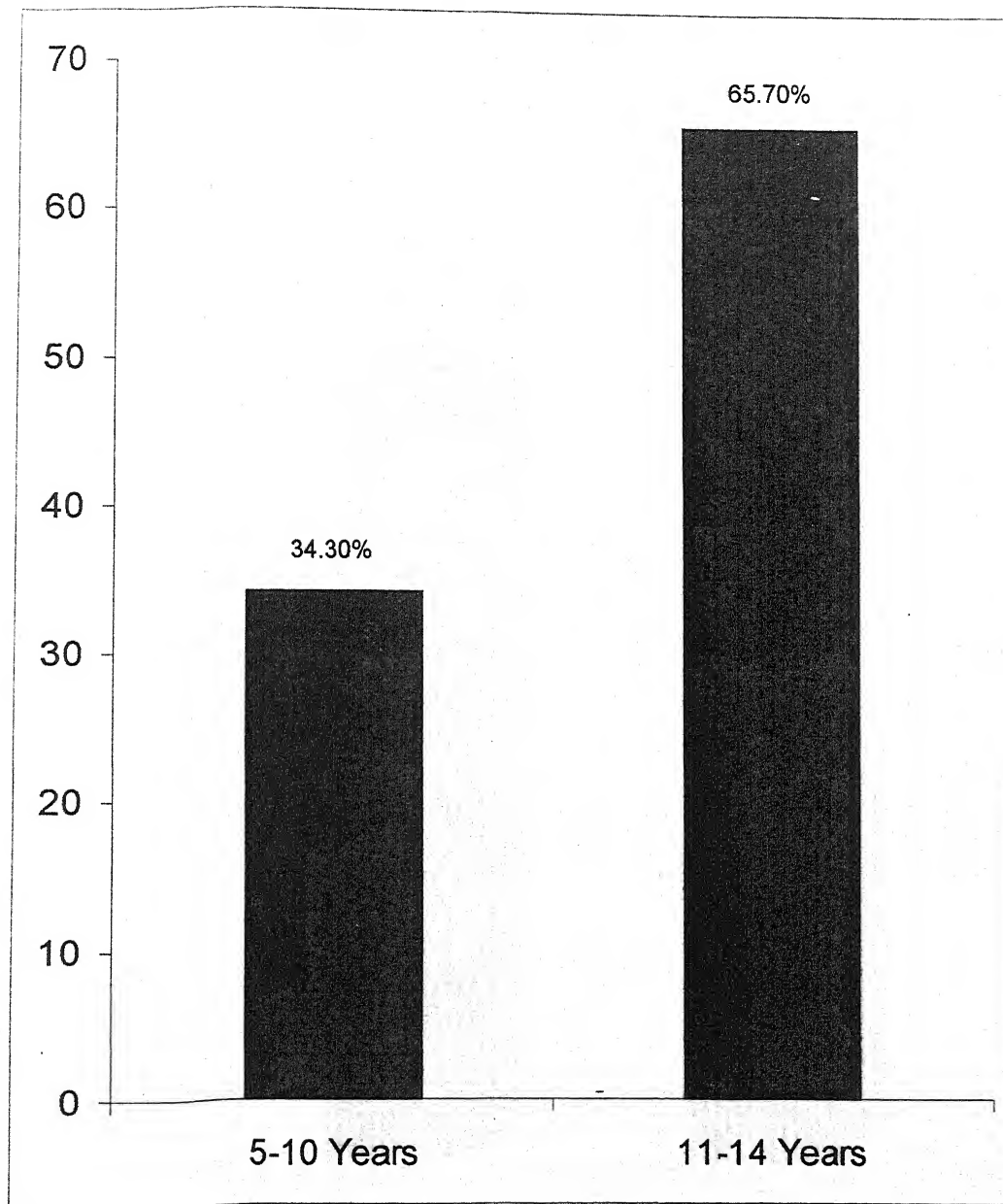
Table showing Sex-wise distribution of the child labour

Sl. No.	Sex	Number	Percentage
1.	Male	201	67.00
2.	Female	99	33.00
	Total	300	100.00

It is apparent from the above table that majority i.e. 67 percent of child labour were male and only 33 percent were females.

Graph No. 1

AGE WISE DISTRIBUTION OF CHILD LABOUR



Graph No. 2

SEX WISE DISTRIBUTION OF CHILD LABOUR

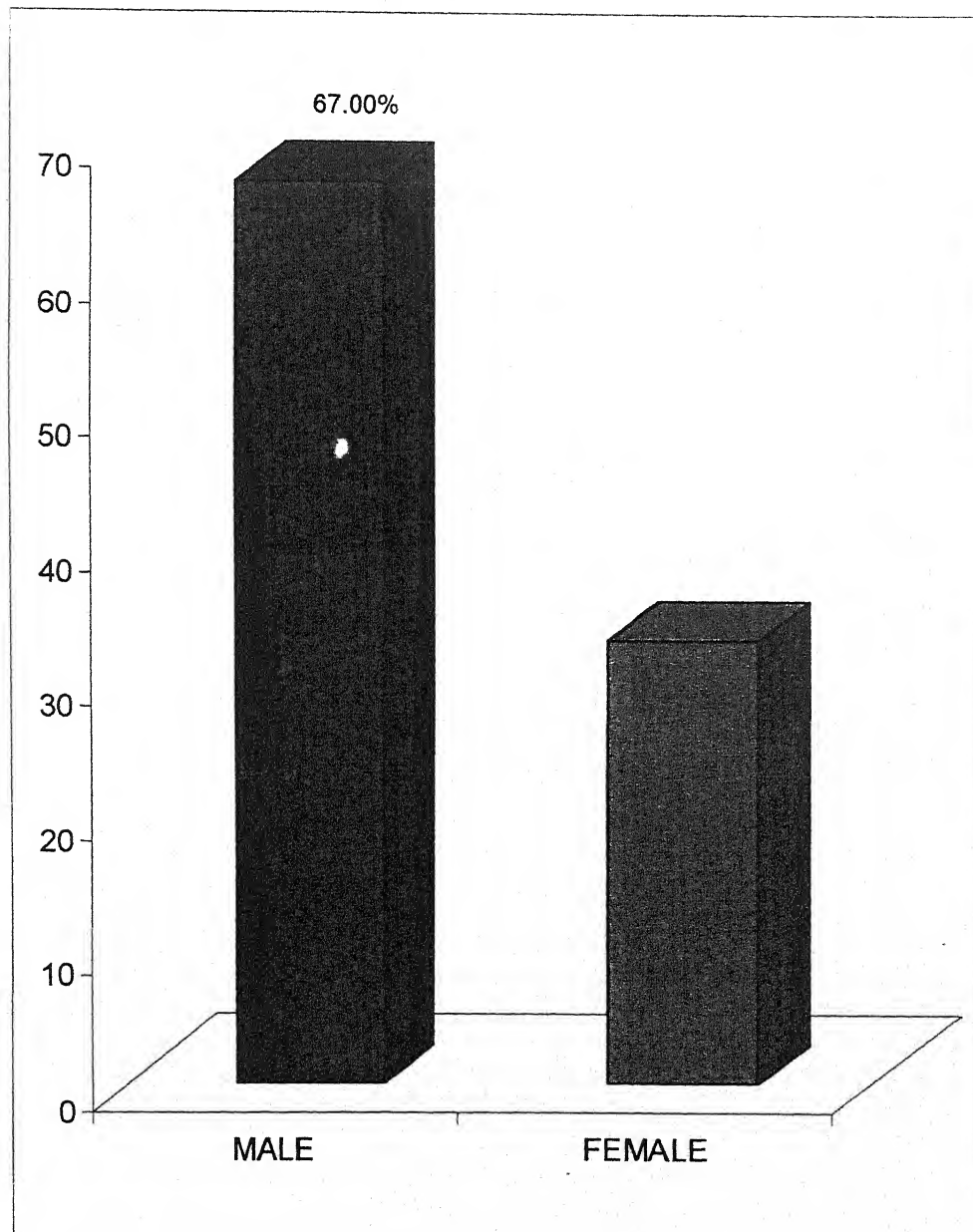


Table No. - 3

Table Showing Religion-wise distribution of the Child Labour

Sl. No.	Religion	Number	Percentage
1.	Hindu	251	83.70
2.	Muslim	49	16.30
3.	Sikh	0	NIL
4.	Christian	0	NIL
5.	Any other	0	NIL
	Total	300	100.00

The above table shows that most of the respondents belonged to Hindu religion i.e. 83.7 percent and rest were muslims i.e. 16.3 percent. There were no sikhs or christians found during the study.

Graph No. 3

RELIGION WISE DISTRIBUTION OF CHILD LABOUR

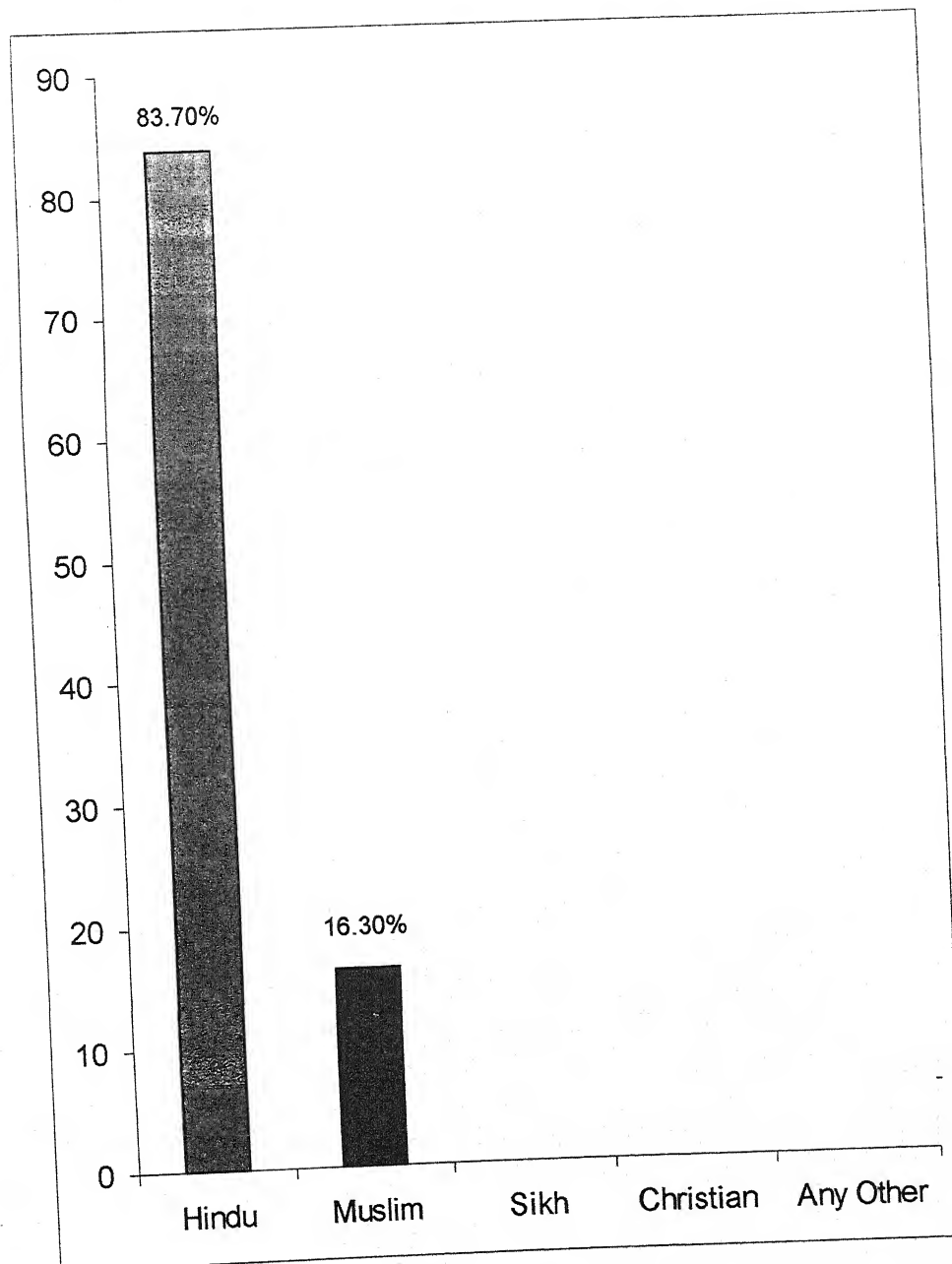


Table No. - 4

Educational status of the Respondents

Sl. No.	Education status	Number	Percentage
1.	Illiterate	109	36.30
2.	Literate	151	50.40
3.	Primary	40	13.30
	Total	300	100.00

Although free educational facilities upto Primary level are given by the Government. But it is apparent from the table that 50.4 percent child labour were literate that means, they know very little. About 36.3 percent were illiterate. While only 13.3 percent were educated upto primary level.

Graph No. 4

EDUCATIONAL STATUS OF THE RESPONDENTS

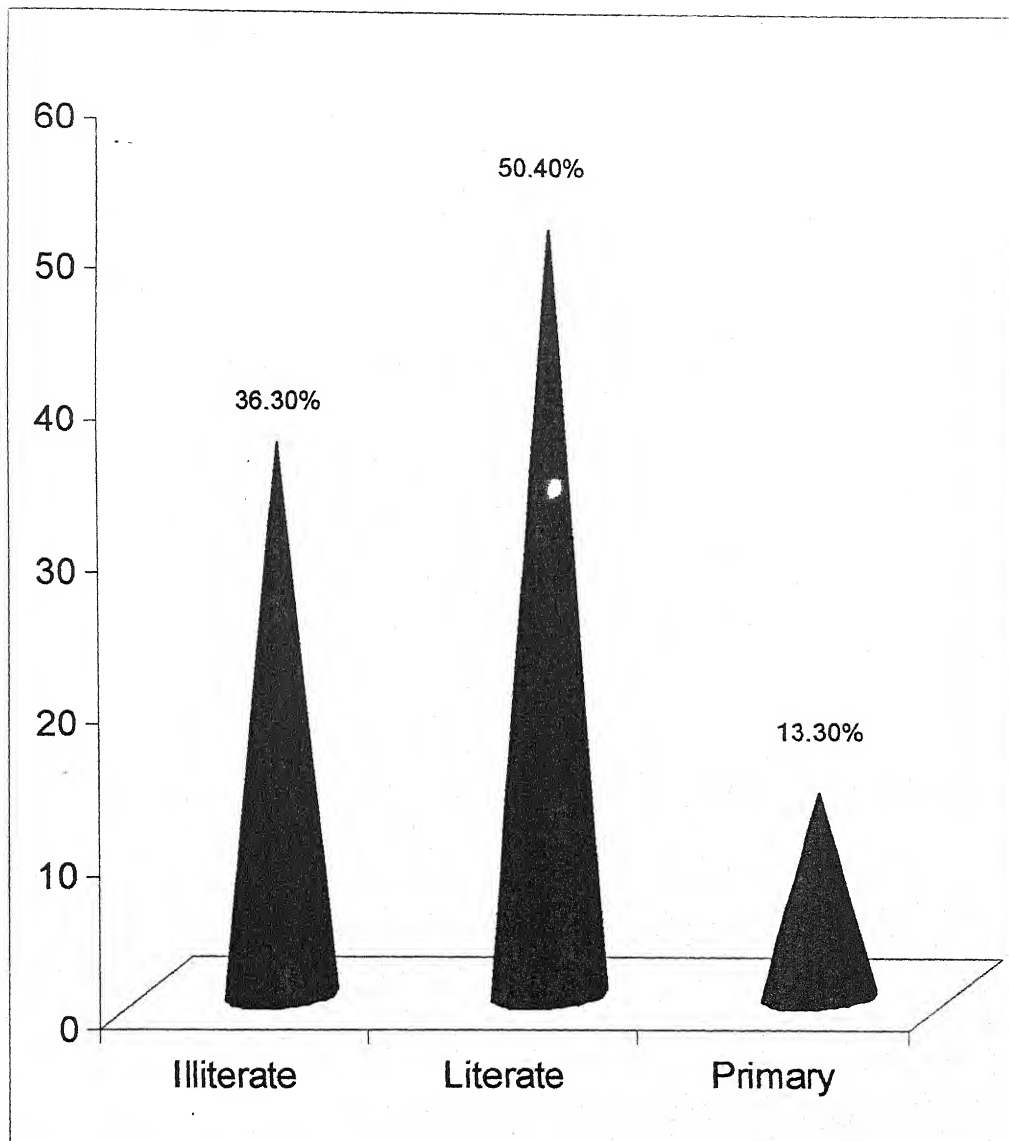


Table No. - 5

Distribution of the Respondents according to the family size.

Sl. No.	Family Size	Number	Percentage
1.	1-4	51	17.00
2.	5-8	211	70.30
3.	9 & above	38	12.70
	Total	300	100.00

The size of the family which is an important criterion to determine the actual burden on working child has been discussed through table no. 5. It is evident from above table, that 70.3 percent child labour belonged to medium size families i.e. 5-8 members. Table further revealed that 17 percent belonged to small families. It can be concluded that 70.3 percent respondents having a burden of more family members (more than 5 members) which may be the reason for the child labour to work, in order to generate income for the families.

Graph No. 5

FAMILY SIZE OF THE RESPONDENTS

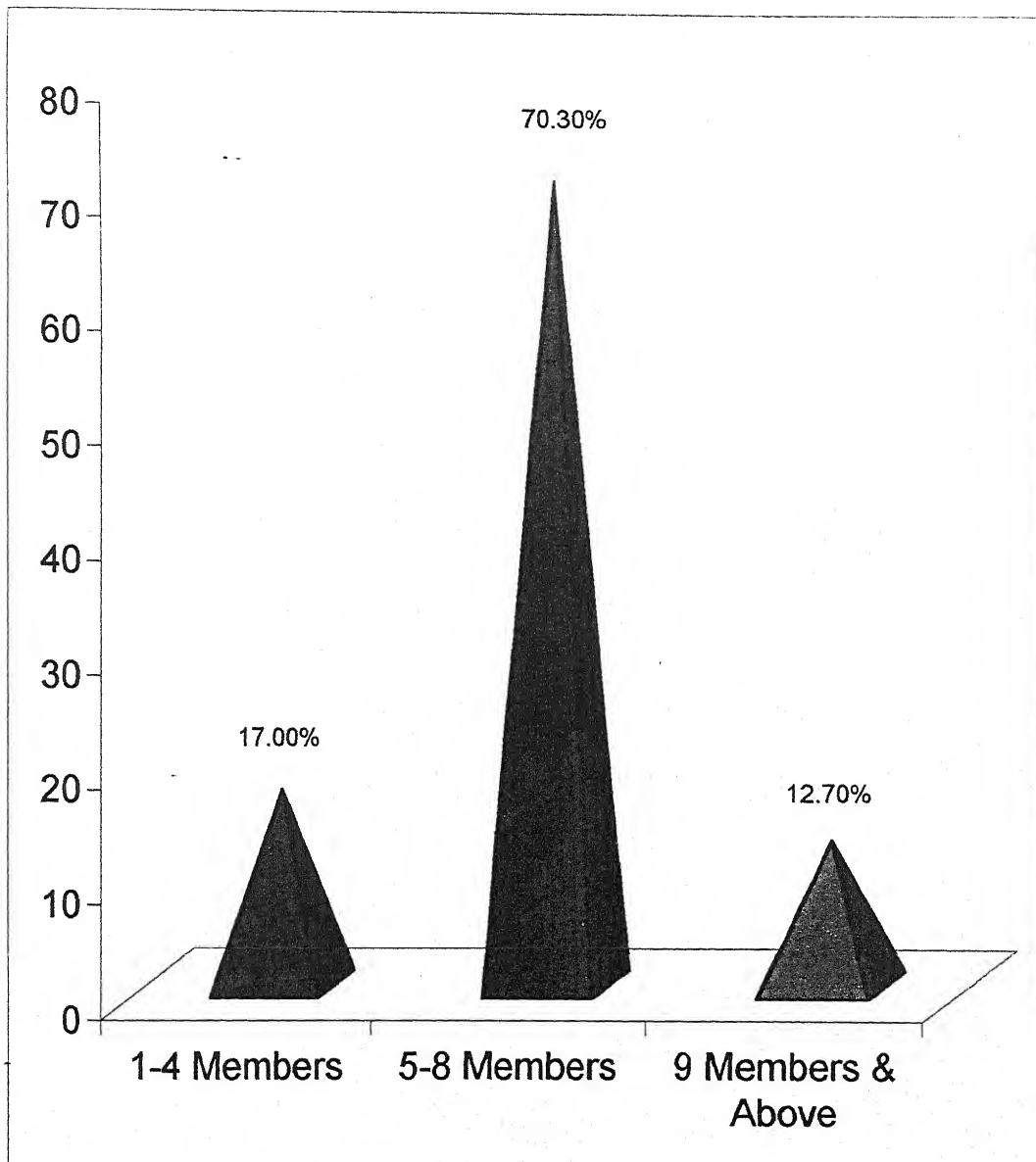


Table No. - 6
Distribution of the Respondents according to
the type of house.

Sl. No.	Family Size	Number	Percentage
1.	Rented	145	48.30
2.	Own	129	43.00
3.	Unaware	26	8.70
	Total	300	100.00

The above table shows that majority of the respondents i.e. 48.3 percent lived in rented house. After asking informally working children were not aware of rent given for their house, 43.00 percent lived in their own house and 8.70 percent respondents were not aware of the residential status, these include children below 10 years of age and children who all were not living with their families.

Table No. - 7

Table showing number of rooms in the house.

Sl. No.	No. of Rooms	Number	Percentage
1.	One	202	67.30
2.	Two	86	28.70
3.	More than 2	12	4.00
	Total	300	100.00

The above table shows that majority i.e. 67.31 percent respondents reside in one room tenement followed by 28.7 percent who lived in two rooms house while only 4 percent in more than 2 rooms.

Table No. - 8

**Distribution of the working children according to the
occupation of the family members**

Sl. No.	Occupation	Number	Percentage
1.	Agriculture Farming	6	2.00
2.	Servant	190	63.30
3.	Self Employed	83	27.70
4.	Unaware	21	7.00
	TOTAL	300	100.00

Occupation of the parents was one of the important factor which compelled the children to go for jobs. It is apparent from the table that majority i.e. 63.3 percent of the parents of child labourers were servant. Further data revealed that 27.7 percent child fruits vendors, vegetable vendors etc. The table further highlights that only 7 percent child labourers were not aware of the occupation of their family members and 2 percent were engaged in agricultural work in rural areas but the child was working in urban area.

Graph No. 6

**OCCUPATION OF THE FAMILY MEMBERS OF
CHILD LABOUR**

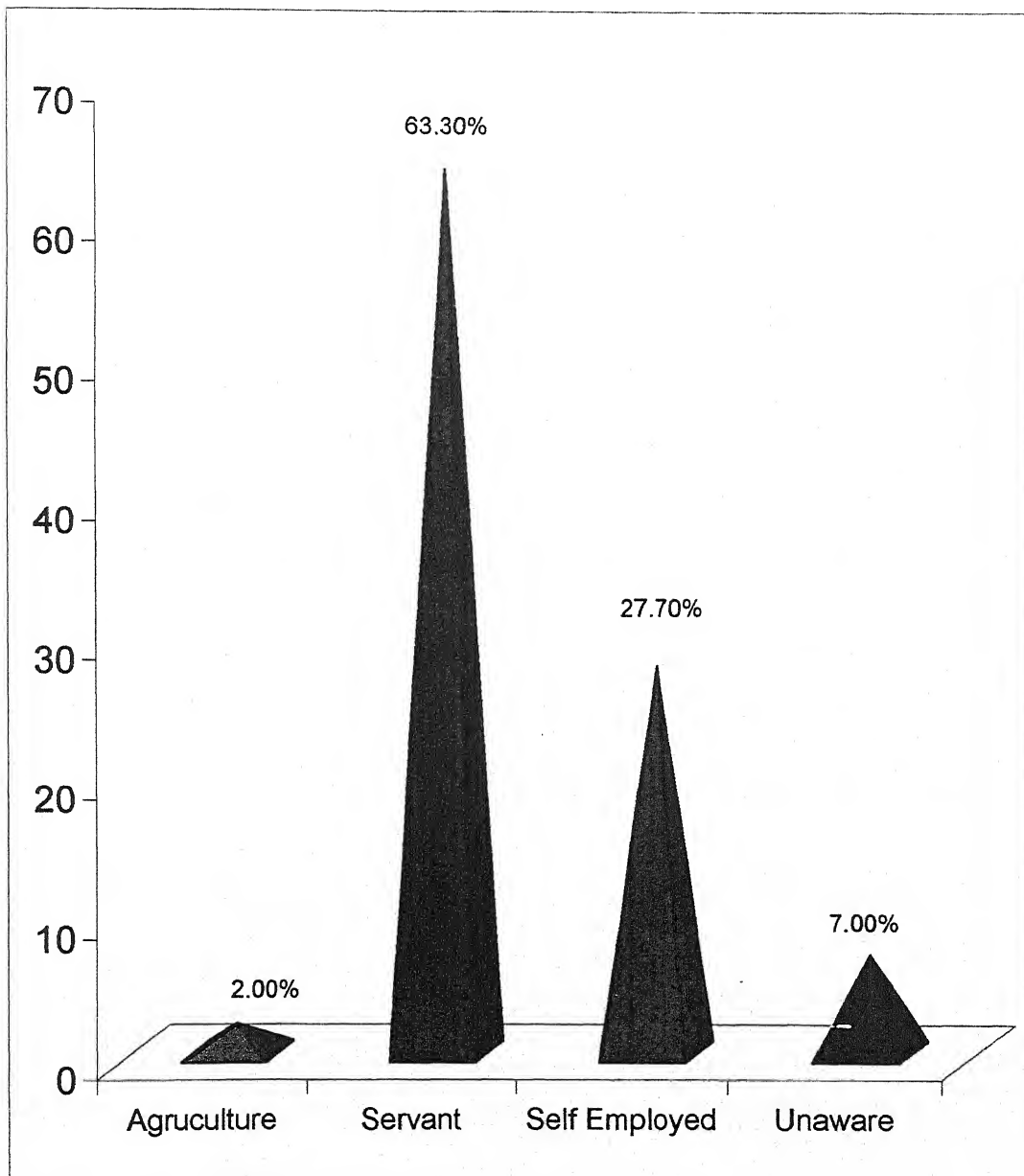


Table No. - 9

**Distribution of the family members working, other than
Child Labour**

Sl. No.	Response	Number	Percentage
1.	Father	107	35.70
2.	Mother	26	8.70
3.	Father and Mother	110	36.70
4.	Brother/Sister	0	NIL
5.	All	50	16.60
6.	No body	7	2.30
	TOTAL	300	100.00

The above table shows that 36.7 percent respondent's father & mother were working. Further, the table reveals that 35.7 percent respondent's father was the only working member. 16.6 percent, respondents, all the family members were working 8.7 percent respondents mother was the only working member (because some children lost their father some respondents father do not of for work or father being a drunker.)

Table No. - 10

Table showing Total Family Income of Child Labour

Sl. No.	Total Income per month	Number	Percentage
1.	Below Rs. 1000	10	3.30
2.	Rs. 1000 to Rs. 3000	125	41.70
3.	Rs. 3001 to Rs. 5000	16	05.30
4.	Don't Know	149	49.70
	Total	300	100.00

The above table shows the income of the family which determines the economic status of the family. The monthly income of the family of the child labour was also calculated by excluding the income generated by the respondents. It is evident from the above table that 49.7 percent child labourers were unaware of the monthly income of the family. The table further highlights that 41.7 percent children were from the families earning monthly income between Rs. 1001 to Rs. 3000. There were only 5.3 percent parents families whose earning was between Rs. 3001 to 5000 per month whereas only 3.3 percent family income below Rs. 1000 per month. It can be concluded from the above table that majority of the families of the child labour were under the burden of poverty. This reflected that majority of the working children had to supplement the income of their families which was the main cause of child labour found in the present study.

Graph No. 7

FAMILY INCOME (PER MONTH) OF CHILD LABOUR

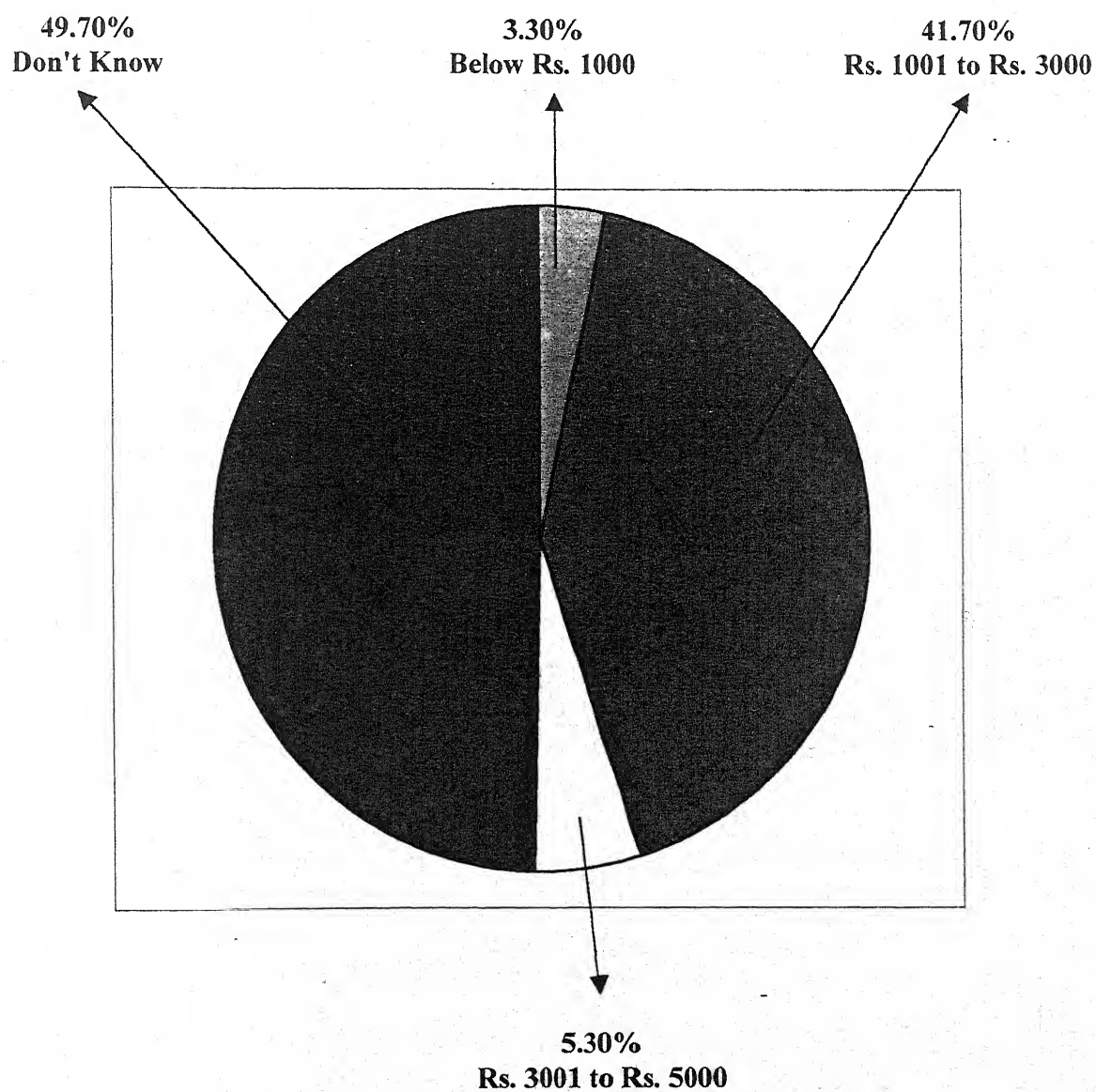


Table No. - 11

**Table showing type of activities performed by the
Child Labour at home**

Sl. No.	Activities	Response		Total	%
		Yes	No		
1.	Cooking	29 (9.70%)	271 (90.30%)	300	100
2.	Cleaning utensils	46 (15.30%)	254 (84.70%)	300	100
3.	Cleaning of house (Sweeping)	32 (10.70%)	268 (89.30%)	300	100
4.	Washing of clothes	76 (25.30%)	224 (74.70%)	300	100
5.	Purchasing of items	163 (54.30%)	137 (45.70%)	300	100
6.	Look after siblings	32 (10.70%)	268 (89.30%)	300	100
7.	Any other	42 (14.00%)	258 (86.00%)	300	100

Figures in parentheses indicate percentage

The above table reflects the activities performed by children in their homes when they are at home. There were multiple answers because many children were doing different type of jobs. It is clear from the table no. 11 that 54.3 percent of working children do purchasing of household items which performed mainly by children. 25.3 of the respondents were involved in washing of clothes, 15.3 Percent of the respondents were involved in cleaning of utensils, 10.7 percent of the respondents were involved in cleaning of house, look after look after siblings while only 9.7 percent were doing doing cooking which was performed mainly by female children.

Table No. - 12

Table showing needs of child labour fulfilled by the family

Sl. No.	Activities	Response		Total	%
		Yes	No		
1.	Shelter	282 (94.00%)	18 (6.00%)	300	100
2	Clothing	282 (94.00%)	18 (6.00%)	300	100
3	Food	282 (94.00%)	18 (6.00%)	300	100
4	Education	26 (8.70%)	274 (91.30%)	300	100
5	Health/Medical	248 (82.70%)	52 (17.30%)	300	100

Figures in parentheses indicate percentage

From the above table it is evident that children were asked regarding the needs fulfilled by their family. There were multiple answers because different needs were fulfilled by the family of the working children. From 300 respondents 94 percent opined that their basic needs of food, cloth, shelter were fulfilled by the family while 82.7 percent of respondents get health/medical facility and only 8.7 percent of the respondents got their

education need fulfilled. This shows that the basic needs i.e. food, cloth and shelter and health were fulfilled by their family members, while education which is an important aspects remain unfulfilled which can be one of the cause for child labour.

Children were used as helping hands in the family income because of which they were not sent to schools to seek education. Others whose needs were not fulfilled by the family were orphans or they don't live with their family.

Chapter-IV

VARIOUS ISSUES RELATED
TO CHILD LABOUR

Chapter-IV

VARIOUS ISSUES RELATED TO CHILD LABOUR

More than 3,000 children are estimated to be working in the carpet industry the majority of them in bondage. This is a large number, but it represents only about 2 percent of the bonded child labourers of India.

The great majority of the carpet weavers' bonded brothers and sisters are working in the agricultural sector, tending cattle and goats, picking tea leaves on vast plantations, and working fields of sugarcane and basic crops all across the country. Apart from agriculture, which accounts for 64 percent' of all labor in India, bonded child labourers form a significant part of the work force in a multitude of domestic and export industries. These include, but are not limited to the production of silk and silk saris, bidi (hand rolled cigarettes), silver jewelry, synthetic gemstones, leather products (including footwear and sporting goods), handwomen wool carpets, and precious gemstones and diamonds. Services where bonded child labor is prevalent include prostitution, small restaurants, truck stops and tea shop services, and domestic servitude.

The practice of child debt servitude has been illegal in India since 1933, when the Children (Pledging of Labour) Act was

enacted under British rule. Since independence, a plethora of additional protective legislation has been put in place. There are distinct laws governing child labor in factories, in commercial establishments, on plantations, and in apprenticeships. There are laws governing the use of migrant labor and contract labor. A relatively recent law-the Child Labour (Prohibition and Regulation) Act of 1986 designates a child as "a person who has not completed their fourteenth year of age. It purports to regulate the hours and conditions of some child workers and to prohibit the use of Child labor in certain enumerated hazardous industries. (There is no blanket prohibition on the use of child labor, nor any universal minimum age set for child workers.

What is the current state of education in India in comparison to other developing countries? India's state of education lacks effectiveness in yielding basic literacy in the population: It has been observed that "the overall condition of the education system can be a powerful influence on the supply of child labour" (Grootaert and Kanbur 1995, 193). The 1991 Census of India shows that 64% of males and 39% of females are literate (The World Bank 1995, 113) - an increase of 17% and 14% respectively from the 1981 census (Census of India 1981 cited in Weiner 1991, 11). These increases seem significant, but India's overall literacy rate of 40.8% lags behind other developing countries such as China (72.6%), Sri Lanka (86.1%), and

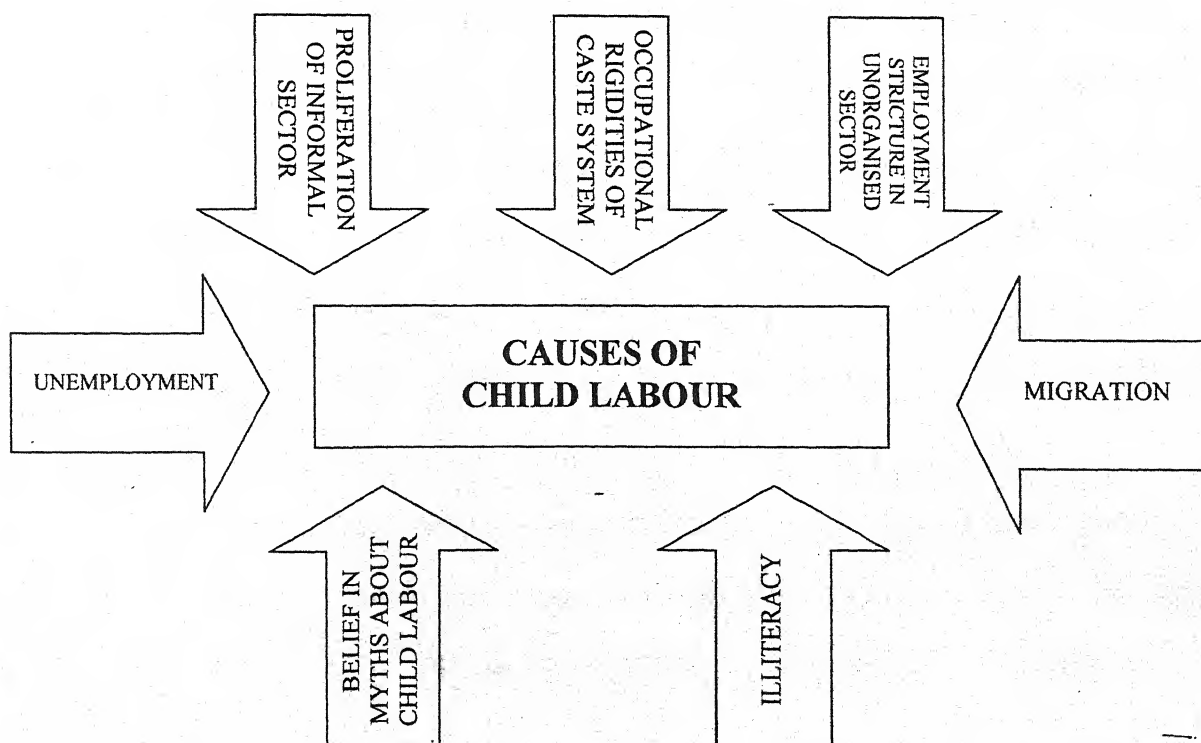
Indonesia (74.1%), all of which have per capita incomes comparable to India's (Weiner 1991,161). India's primary-school survival rate of 38.0% is also lower than China's rate of 70.0% and Sri Lanka's rate of 90.8% (United Nations Educational, Scientific, and Cultural Organization cited in Weiner 1991,159). This indicates that few students are reaching fifth or sixth grade, and dropout rates support this conclusion. Dropout rates measured by the Department of Education show that 350/0 of males and 390/0 of females dropout (Government of India cited in The World Bank 1995, 113). What is the reason for these high dropout rates and poor school survival rates? One possible argument given by Nangia (1987) is that "the pressing need for the child's earnings as well as low perceived advantages of school" cause parents to withdraw children from school and deposit them in the labour force (p.182). In this case, poverty and the inadequacy of the school system play significant roles, in causing child labour, but also affect each other. Poverty forces high dropout rates, and thus no matter how good schools are, school survival rates and literacy rates will still remain low.

Child labour is inherent in the cycle of poverty, unemployment, under-employment and low wages, caused by inequitable distribution of resources, unleashed by a centralized and lopsided economy and the backward nature of agriculture.

- Absence of Universal compulsory Primary education
- Social apathy and tolerance of child labour
- Ignorance of the parents about the adverse consequences of child labour
- Ineffective enforcement of the legal provisions pertaining to child labour
- Non-availability of and non-accessibility to schools
- Irrelevant and non-attractive school curriculum
- Employers prefer children as they constitute cheap labour.

Causes of Child Labour

- Poverty
- Parental illiteracy
- Tradition of making children learn the family skills



Elementary Education as a Fundamental Right [Article 28,29,31].

The Directive Principle under article 45 of the constitution of India, lays down that the states within a period of ten years of commencement of the constitution will provide free and compulsory education to all children until they complete 14 years of age.

The Government of India is completely committed to universalisation of Elementary Education. In 1997, the 83rd Amendment Bill was introduced in parliament to make education a fundamental right of all children between 6-14 years. The Ministry of Human Resource Development formulated the revised Constitution Amendment Bill. The Bill known as the 83rd Constitution Amendment Bill has been passed by both houses of the parliament and is awaiting presidential assent.

The provisions laid down in the 93rd Amendment Bill are as follows:

- **Insertion of a new Article 21A-** To provide free and compulsory education to all children of the age of 6-14 years in such a manner as the state may, by law, determine.
- **Substitution of existing Article 45 of the Constitution :-**
The State shall endeavour to provide early childhood care and education for all children until they complete the age of six years.

- **Insertion of the following new clause in Article 51(A) of the Constitution relating to fundamental duties of the citizens - (k)-** who is parent or guardian to provide opportunities for education to this child, or as case may be, a ward between age of 6-14 years.

The Sarva Shiksha Abhiyan (SSA) launched by the Government of India is the vehicle for implementing the constitutional obligation under the 93rd Amendment Bill.

Early Childhood Education (ECE) scheme launched to reduce dropout rates and improve the rate of retention of children in School

Extend some social security cover to the poorest sections of society, the Finance Ministry in his budget speech 2000-2001, announced the introduction of a new scheme for group insurance, the Janashree Bima Yojna. Under this scheme, beneficiaries will have an insurance cover of Rs. 20,000 in case of natural death, Rs. 50,000 in case of accidental death or total permanent disability and Rs. 25,000 for partial permanent disability due to an accident. Below poverty line participants will pay only half the premium, the remainder being contributed from earning of LIC's existing social security fund.

The complex issue of child labour is a developmental issue worth investigating. The notion that children are being exploited and forced into labour, while not receiving education crucial to

development, concerns many people. India is the largest example of a nation plagued by the problem of child labour. Estimates cite figures of between 60 and 115 million working children in India -- the highest number in the world (Human Rights Watch 1996, 1).

What are the causes of child labour in India? How do governmental policies affect it? What role does education play in regard to child labour in India? A critical analysis of the answers to these questions may lead in the direction of a possible solution. These questions will be answered through an analysis of the problem of child labour as it is now, investigating how prevalent it is and what types of child labour exist. The necessity of child labour to poor families, and the role of poverty as a determinant will be examined. Governmental policies concerning child labour will be investigated. The current state of education in India will be examined and compared with other developing countries. Compulsory education policies and their relationship to child labour will be investigated using Sri Lanka and the Indian state of Kerala as examples of where these policies have worked. Finally, India's policies concerning compulsory education will be assessed.

To outlaw child labour in order to prioritize education does two things. It underestimates what children learn about, life, family responsibilities and social relations at work among their

peers. It also sometimes tries to privilege an education that is neither relevant nor useful for these children and the future that they face.

This chapter deals with different issues in relation to child labour. These issues include interest in education, time for recreation and play because this is the important factor which helps a child to grow mentally and physically and important for the Growth and Personality Development, being an earner the child has to give his/her earnings to the family, the amount of pocket money he gets is very surprising. Some child labour adapt themselves in the work, so much, that they start liking the work. Due to number of reasons the child has to start work at very small age i.e. 5-10 years to fulfill his family primary needs- food, clothing and shelter but the child is refrained from education which is his fundamental right.

There are many areas of economic activities where child labours get employment easily. The most common area is domestic servants. Along with mothers children also go for domestic work, some children even work in their own in houses. The other major area in Jhansi is bidi making. Employment opportunity are more in this trade. The beneficial part for the employees in this trade is that the raw material is given to the elder family member for home. There at homes maximum children are involved because their small and nimble fingers.

facilities the bidi making. We can also see many children on small tea stalls and sweet shops, there these children perform number of tasks since morning till evening. In Jhansi near bus stands we found lot of auto repair shops where mechanical/electrical works is being done, puncture shops etc where people don't hesitate to employ children. These children were in very deplorable conditions. Child vendors and hawkers can be seen every where in the city. They sell vegetables, fruits, toffee, gutka, pan masala in city and even on Railway station. Shoe shiners, ragpickers also increase the child labours in the city.

Health of the child labour is hampered because their parents are unable to provide proper care, nutrition and social well-being of their children. Though, they take meals twice or thrice a day but it is not of nutritious value.

Children were working because of poverty and other reasons, in their opinion work is important equally with education, and some believe that work is only significant in their life. Their working experience or small age will be useful for them in future. Job satisfaction and reasons for job satisfaction and dissatisfaction is also an important issue in the study. This leads to the reasons for continuation and discontinuation of the present job.

Table No. - 13

**Table showing whether the Respondents have attended
the school**

Sl. No.	Response	Number	Percentage
1.	Yes	194	64.70
2.	No	106	35.30
	Total	300	100.00

It is evident from the above table that 64.7 percent of the respondents have attended the school. These include 50.40% literates and 13.30% children educated upto primary level. Those who have attended the school include drop-outs, they have not completed their education upto primary level which is compulsory. Poverty plays a role in the ineffectiveness of the educational system. Dropout rates are high because children are forced to work in order to support their families. Nangia (1987) in his argument said that, "the pressing need for the child's earnings as well as low perceived advantages of school" causes parents to withdraw children from school and deposit them in the labour force. In this case, poverty and the inadequacy of the school system play significant roles in causing child labour. On the other hand 35.3 percent have never attended the school. Parents feel that work develops skills that can be used to earn an income, while education does not help in this matter.

Table No. - 14

**Table showing distribution of child labour still
going to school**

Sl. No.	Response	Number	Percentage
1.	Yes	18	9.28
2.	No	176	90.72
	Total	194	100.00

In the previous table, 194 respondents have attended the school. From these 194 respondents, 90.72 percent were not going to school. 9.28 percent were still going to school. This shows that very few number of working children get time to go to school for the studies.

Table No. - 15

Table showing the reason for not attending the school

Sl. No.	Responses	Number	Percentage
1.	Dislike Studies	42	23.90
2.	Parents not willing	59	33.52
3.	Interest in work	33	18.80
4.	Unable to pay fee	6	3.40
5.	Any other	36	20.45
	Total	176	100.00

From the 176 respondent who were not attending the school were asked for the reasons. It was seen that 33.52 Percent of the child labour did not go to school because of family of parent not willing to send them, 23.9 percent of the respondents dislike studies and 18.8 percent have interest in work while 20.45 percent of the respondents have other reasons like school been far, no one else in the family was going to school, other don't get time to go to school because they have to work to earn their living.

Table No. - 16

Table showing whether the children go to play with friends.

Sl. No.	Responses	Number	Percentage
1.	Yes	230	76.70
2.	No	70	23.30
	Total	300	100.00

Recreation and Playing a very important for the growth and personality development of children. from the table number 16 it is evident that along with job 76.3 percent of working children get very less time to play. On the other hand 23.3 percent have no time to play or go for any out door activities due to their involvement in employment.

Table No. - 17

Table showing pocket money received by the child labour

Sl. No.	Response	Number	Percentage
1.	Yes	215	71.70
2.	No	82	28.30
	Total	300	100.00

It is evident from the above table that 71.7 percent of child labour get pocket money, though they were also earning but their wages was utilized by the family. The reason may be attributed to the facts that the income of the children was given to the parents directly. 28.3 percent of child labour do not received any pocket money, these include children not living with family or were orphans.

Table No. - 18

Table showing distribution of the respondents according to the amount of pocket money received.

Sl. No.	Amount	Number	Percentage
1.	Rs. 1-5	137	63.70
2.	Rs. 6-10	70	32.60
3.	Rs. 11-15	08	3.70
	Total	215	100.00

It is apparent from table that majority of working children i.e. 63.7 percent who received pocket money get between Rs. 1-5, further it shows that 32.6 percent get between Rs. 6-10 and only 3.7 percent of response get between Rs. 11-15. On asking informally where they spend their pocket money it was observed that mostly they spend on toffee Chocolates ice-creams or any other such eatable items.

Table No. - 19

**Table showing distribution of the respondents according to
the feeling towards work.**

Sl. No.	Feeling	Number	Percentage
1.	Enjoy working	83	27.70
2.	Normal feeling	166	55.30
3.	Dislike work	40	13.30
4.	Can't say	11	3.70
	Total	300	100.00

From the above table it is evident that 55.3 percent of the child labour normal feeling towards work, 27.7 percent of the respondents enjoyed while 13.3 percent of the respondent dislike working and 3.7 percent of the respondent can't express their feeling regarding their work.

Table No. - 20

Table showing the age when the respondent started working

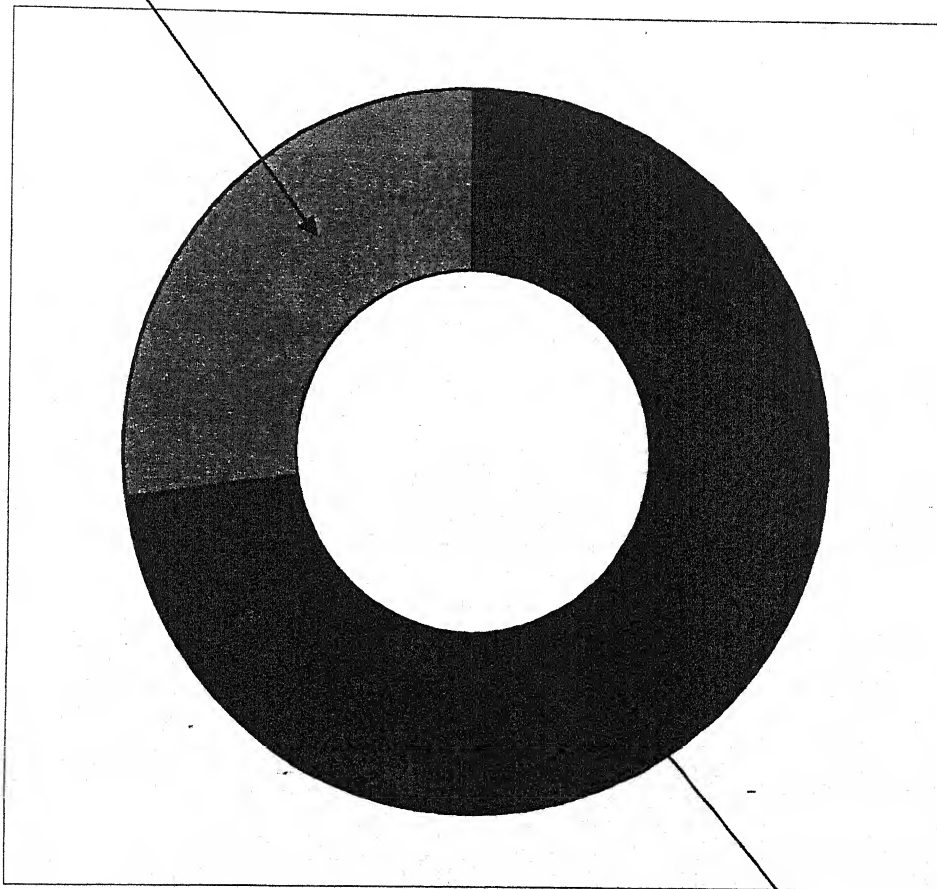
Sl. No.	Age	Number	Percentage
1.	5 to 10 Years	280	72.70
2.	11 to 14 Years	82	27.30
	Total	300	100.00

It is evident from the above table that 72.7 percent children started working between 5 to 10 years of age due to various factors like poverty, compulsion of parents, death of one parent or orphanage, any other responsibility etc. and 27.3 percent started working between the age of 11 to 14 years. This shows that children started working at very small age.

Graph No. 8

**AGE WHEN THE CHILD LABOUR STARTED
WORKING**

27.30%
11-14 years



72.70%
5-10 Years

Table No. - 21

Table showing distribution of monthly wages of child labour

Sl. No.	Monthly wages	Number	Percentage
1.	Below Rs. 200	15	5.00
2.	Rs. 201 - Rs. 400	33	11.00
3.	Rs. 401 - Ts. 600	252	84.00
	Total	300	100.00

From the above table it is evident that 84 percent child labour on between Rs. 4000- to Rs. 600. 11 percent child labour monthly wages was between Rs. 201- Rs. 400 while only 5 percent child labour earn below Rs. 200.

It is to be noted that full wages are not always paid to the child labour. Sometimes heavy deductions are made for taking leaves or other loses incurred by child labourer to the employer. One month wages are kept with the employer in order to keep the child to continue work in next month also.

Graph No. 9

MONTHLY WAGES OF CHILD LABOUR

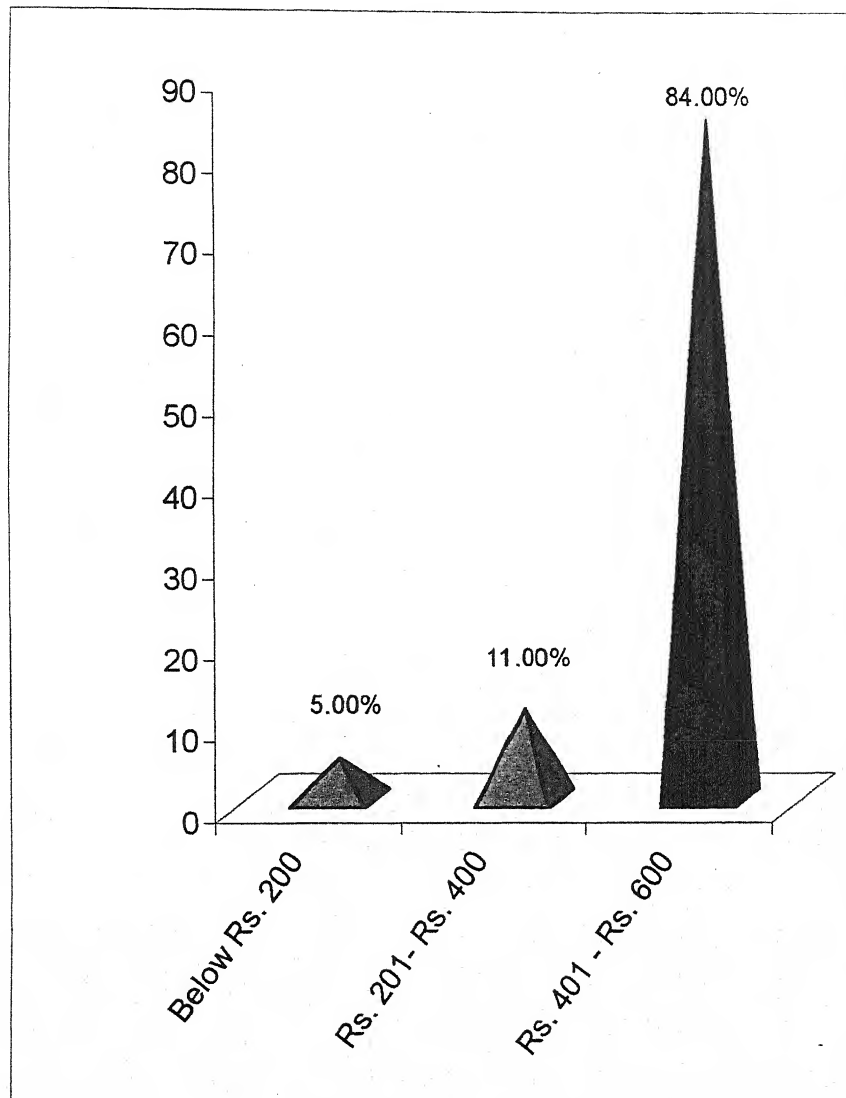


Table No. - 22

**Table showing the area of expenditure of monthly wages
by child labour**

Sl. No.	Areas	Response		No.	Percentage
		Yes	No		
1.	Food / Fatables	92 (30.70%)	208 (60.30%)	300	100
2	Clothing	22 (7.30%)	278 (92.70%)	300	100
3	Friends	0 Nil	300 (100%)	300	100
4	Entertainment	0 Nil	300 (100%)	300	100
5	Family	278 (92.70%)	22 (7.30%)	300	100
6	Any habit	2 (0.70%)	298 (99.30%)	300	100
7	Any other	12 (4.00%)	288 (96.00%)	300	100

Figures in parentheses indicate percentage

It is evident from the above table that 92.7 percent child labourer give their monthly wages income to their family /

parents. Sometimes their wages is directly given to their parents to the employer. 30.7 percent of the respondent spend the part of their earning on food items/Eatable, 7.3 percent of the respondent spend on clothing 4 percent of the respondent on any other like soap, brush, ball, or any playing things, and 0.7 percent of the respondent have the habit of eating gutka, pan masala etc.

It can be concluded that major share of child labourers earning goes to their family which is indicative of the facts that economic condition of these children is unsound and they act as additional source of income to their families.

Table No. - 23

Table showing whether undergone/undergoing training

Sl. No.	Responses	Number	Percentage
1.	Yes	224	74.70
2.	No	76	25.30
	Total	300	100.00

It is evident from the above table majority i.e. 74.7 percent of child labour had undergone training before starting the work like children involved in vehicle repair shops, puncture making, carpentry work etc. Training is the process of assisting a person for enhancing his efficiency and effectiveness at work by developing skills relevant to his work. Training provides the facilities for better future. On asking informally the researcher came to know that they received on-the-job training, which was informal training. On the other hand 25.3 percent have not taken any training because they do not required any training for the work. Some started the work which their parents do.

Table No. - 24

Table showing training providers

Sl. No.	Responses	Number	Percentage
1.	Employer	104	46.40
2.	Family Member	118	52.70
3.	Trained by Trainers	2	0.90
	Total	224	100.00

In the previous table 224 respondents have undergone training these respondents were further asked the training providers.

It is evident from the above table that 52.7 percent of the respondents have taken training from their family members and 46.4 percent of the respondents were provided training by the employers while only 0.9 percent of the respondent were trained by the trainers.

Table No. - 25

Table showing number of time meals taken

Sl. No.	Responses	Number	Percentage
1.	Once	0	Nil
2	Twice	97	32.30
3	Thrice	167	55.70
4	Irregular	36	12.00
	Total	300	100.00

It is evident from the above table that 55.7 percent of the respondents take meals thrice. After asking informally we came to know that in between two meals sometimes employer provide eatable and sometimes they bring something to eat from home. 32.3 percent of the respondents take meals twice i.e. in morning and in evening. 12 percent of the respondents have no regular time to take meals, sometimes they take meals only once or twice.

Table No. - 26

Table showing sleeping habits

Sl. No.	Responses	Number	Percentage
1.	Wake up very early in morning	4	1.30
2.	Can't sleep at night	2	0.70
3.	Keeps on changing	98	32.70
4.	Normal	196	65.30
	Total	300	100.00

It is evident from the table No. 31 that 65.3 percent of the respondents sleeping time was normal that means, they sleep by 10.00 pm to 10.30 pm and wake up at 6.00 am. to 7.00 am, 32.7 percent of the respondents sleeping time keeps on changing depending upon the work at establishments or at home. 1.3 percent of the respondents wake up early in morning i.e. before 6.00 am. and 0.7 percent of the respondents can't sleep at night due to tiredness fatigue, exertion, this shows sleeping disorder.

Table No. - 27

**Table showing views of respondents regarding importance of
work and education**

Sl. No.	Responses	Number	Percentage
1.	School / Education	17	5.70
2.	Work	95	31.70
3.	Both School & Work	108	36.00
4.	Don't know / Can't tell	80	26.60
	Total	300	100

It is evident from the above table that 36 percent of the respondents prefers both school and work at their age because of poor economic conditions. 31.7 percent of the respondent prefers work only because of lack of interest in education and they do not like to go to school, poor economic condition, large family size, working is important for them to meet the basic need. 26.6 percent of the respondents were unable to tell the importance of work and education rather they were confused. Only a handful 5.7 percent of the respondents were of opinion that education is very important at their age, they like and want to go to school, but due to family conditions and unfavourable circumstance they are unable to attend the school.

Graph No. 10

**GRAPH SHOWING THE IMPORTANCE OF WORK
AND EDUCATION**

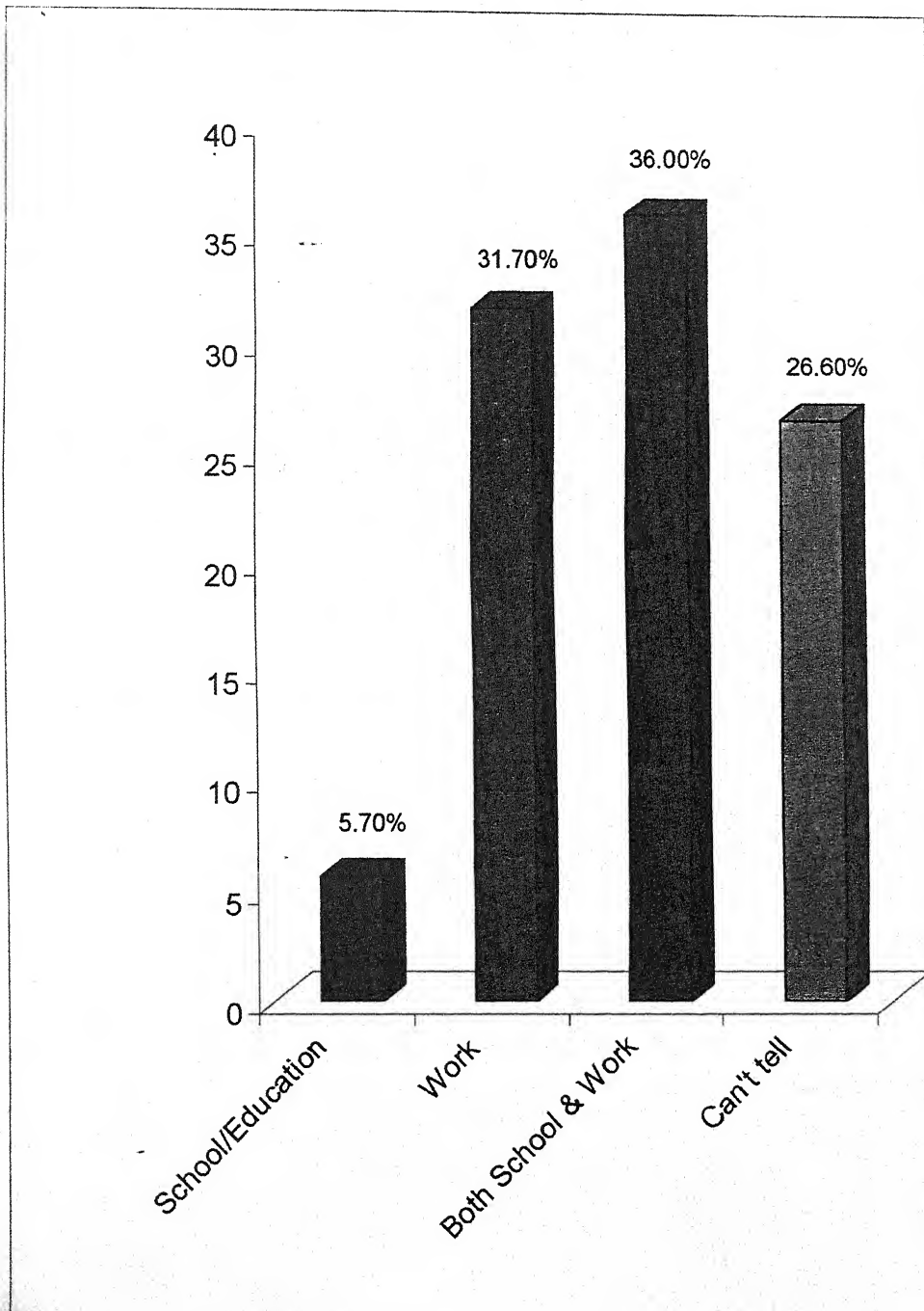


Table No. - 28

Table showing utility of work experience for furture

Sl. No.	Responses	Number	Percentage
1.	Yes	240	80.00
2.	No	8	2.70
3.	Can't Say	52	17.30
	Total	300	100

It can be seen that 80 percent of the respondent believes that working at small age gives experience and is helpful in future. Since majority of child labour are illiterate or has crossed the right age of education so for future stability they have to be dependent on their work

Table No. - 29

Table showing the job satisfaction level of child labour

Sl. No.	Responses	Number	Percentage
1.	Highly Satisfied	45	15.00
2.	Satisfied	200	66.70
3.	Highly Dissatisfied	18	6.00
4.	Dissatisfied	23	7.70
5.	Undecided	14	4.60
	Total	300	100.00

It is evident from the above table that majority (66.7) percent of the working children were satisfied with the job. 15 percent of the respondent were highly satisfied with what they were doing in their job while 7.7 percent of the respondent were dissatisfied with the job as they don't like the work, wish to change the present job. 6 percent of the respondent were highly dissatisfied. only 4.6 percent of the respondent were undecided about the job satisfaction level.

Table No. - 30

Table showing reasons for job satisfaction

Sl. No.	Responses	Number	Percentage
1.	Good employer	29	11.80
2.	Satisfactory wages	55	22.50
3.	Conducive working environment	21	8.6
4.	Kind of work	140	57.10
5.	Any other	0	Nil
	Total	245	100.00

The above reasons are for those who all were highly satisfied / satisfied with their job i.e. 245 respondents. It is evident from the above table that 57.1 percent of the respondent were satisfied with their job because of their interest in the kind of work they performed. 22.5 percent of the respondent were satisfied because of the wages, as they belied the amount they received was right against there work. 11.8 percent of the respondent were satisfied because of the kind behaviour of employer (these employer also include their parents because some child labour were doing work along with the parents) and 8.6 percent of the respondent were satisfied because of conducive working environment.

Table No. - 31

Table showing reasons for job dissatisfaction

Sl. No.	Responses	Number	Percentage
1.	Employer not good	9	22.00
2.	Low wages	5	12.20
3.	Poor working environment	16	39.00
4.	Kind of work	11	26.80
5.	Any other	0	Nil
	Total	41	100.00

The above table shows the reasons for job dissatisfaction among remaining 41 respondents. Majority 39 percent were dissatisfied due to poor working environment i.e. improper lightening, improper cleanliness, no place for sitting and rest, lack of toilet facilities. Another 26.8 percent of the respondent were dissatisfied because of the nature of work they performed i.e. monotonous and tiresome. 22 percent of the respondent were dissatisfied by the behaviour of the employer. While low wages was the reason for dissatisfaction for only 12.2 percent of the respondent.

Graph No. 11

GRAPH SHOWING JOB DISSATISFACTION

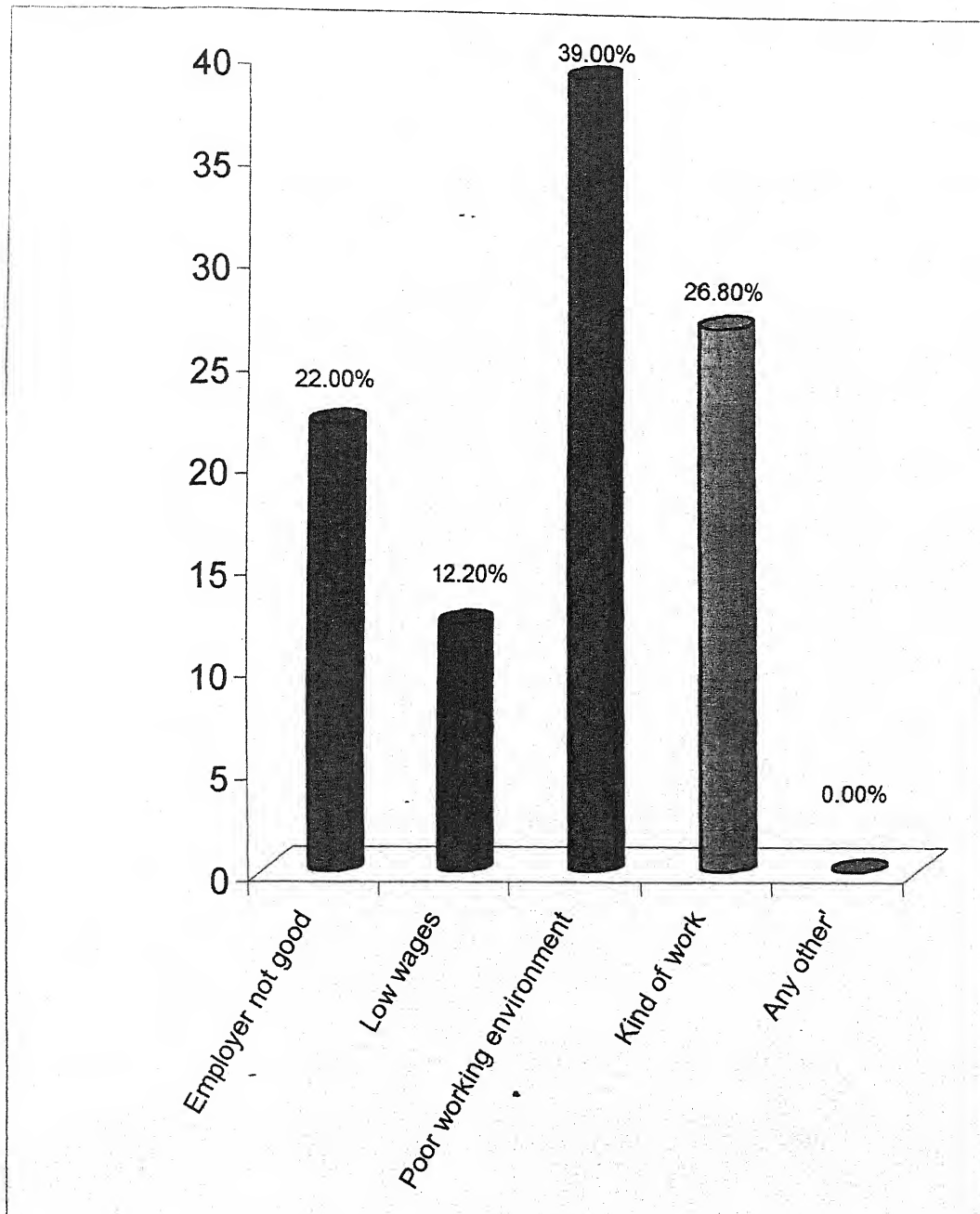


Table No. - 32

**Table showing the wish of respondents to continue their
present job**

Sl. No.	Wish	Number	Percentage
1.	Continue	181	60.30
2.	Leave	57	19.00
3.	Can't Say	62	20.70
	Total	300	100

It can be seen from the above table that 60.3 percent of the respondent were satisfied with there present job and want to continue there present job in future, 20.7 percent of the respondents can't say any thing about there job while 19 percent of the respondent were dissatisfied with their there job and want to leave the present job.

Table No. - 33

Table showing reason for continuation in the present job

Sl. No.	Responses	Number	Percentage
1.	Employer is good	8	4.40
2.	Satisfactory wages	12	6.60
3.	Interest in work	51	28.20
4.	Low family income	100	55.20
5.	Any other	10	5.50
	Total	181	100.00

This table reflect the opinion of 181 respondents regarding reasons for continuation of their present job. It is evident from the above table that majority i.e. 55.2 percent of the respondent want to continue the present job because of low family income. 28.2 percent of the respondent have interest in work since they are working from childhood. Satisfactory income was another reason to continue work as opined by 6.6 percent of the respondent. This reveals that poverty has a strong relational with child labour, and many studies have revealed a positive correlation between poverty and child labour. Family income being low therefore, for survival more money is required and children become an additional source of income. Thus a cycle of poverty is formed and need for child labour is reform generation after generation

Table No. - 34

Table showing reasons for leaving the present job

Sl. No.	Responses	Number	Percentage
1.	Employer no good	4	7.00
2.	Unsatisfactory wages	7	12.30
3.	Disinterest in work	20	35.10
4.	Any other	26.	45.60
	Total	57	100.00

Among 57 respondents who want to leave the present job, 45.6 percent of the respondents opined that they wish to attend the school, change the present job due to the tedious nature of work. Long working hours was also a reason for leaving the job. While 35.1 percent of the respondents were not interest in working like other children of their age they were interested in playing or attending school. Unsatisfactory wages was also one of the reason for not continuing to work in the present job. Children's earning are consistently lower than those of adults even where there are two groups are engaged in the same tasks. While remaining 7 percent opined that employer being not co-operative is the reason for leaving the job.

Chapter -V

FACTORS RESPONSIBLE
FOR CHILD LABOUR

Chapter -V

FACTORS RESPONSIBLE FOR CHILD LABOUR

Child Labour - Soft Petals Turn to Iron

Child labour is one of the many disastrous problems that India faces today. It results in the decline of the economic status of the country and promotes social inequality. Child labour also affects the physical and mental attitude of the children. Today nearly 5-13% of children in our country are labourers. The financial and economic position of a family makes them take this step and immerses them into a haunted world of poverty. Many children, due to lack of adequate means of livelihood, end up as labours. They then develop bad habits and lead to deployment of integrity.

Human beings are the most intelligent. creatures in the whole world. But many children ending up as labours create a sort of discontentment and in that way we have lost and still are loosing many great minds that could have been great in their future. Children, the soft petals turn to hard iron. Our Government should take necessary steps for the abolishing of child labour for the prosperity and development of the country.¹

1. Sunil Kumar K.K.,: Ongole Public School.

Is poverty the cause of child labour

Most people think that poverty is the cause of child labour, but that doesn't always seem to be true. That is the result of a research in Pakistan. In the research it becomes clear that rich parents go less to school, and work less than poor parents with children.

Of course this research is about one certain country, Pakistan. And it's about one sector, the agriculture sector.

But that's not the only example. Because in one of the poorest provinces of India (Kerala) almost all children go to school. That's because the remunerations of the employees isn't so divided as in other provinces. The employees are well organized, and can look after themselves, so they get better paid and their rights and their children's are more respected. .

In most sectors poverty will be on of the causes of child labour, think about the service sector. Children in a city often leave their parents, and have to take care of themselves.

So they have to work for money, here poverty certainly plays a role with child labour.

Poverty does often play a role with child labour, but in some cases it does not. So before we jump to conclusion we have to research it well.

Child labour is a significant problem in India. The prevalence of it is shown by the child work participation rates

which are higher in Indian than in other developing countries.

The major determinant of child labour is poverty. Even though children are paid less than adults, whatever income they earn is of benefit to poor families. In addition to poverty, the lack of adequate and accessible sources of credit forces poor parents to engage their children in the harsher form of child labour - bonded child labour. Some parents also feel that a formal education is not beneficial, and that children learn work skills through labour at a young age. These views are narrow and do not take the long term developmental benefits of education into account. Another determinant is access to education. In some areas, education is not affordable, or is found to be inadequate. With no other alternatives, children spend their time working.

India has all along followed a proactive policy with respect to the problem of child labor, and has stood for constitutional, statutory and developmental measures to combat child labor. Six ILO conventions relating to child labor have been ratified three of these as early as the first quarter of this century.

The first Act in India relating to child labour was the Enactment of Children (Pledging of Labour) Act of February 1933. Since then there have been nine different Indian legislations relating to child labor. The strategy of progressive elimination of child labor underscores India's legislative intent, and takes cognizance of the fact that child labor is not an

isolated phenomenon that can be tackled without simultaneously taking into account the socio-economic milieu that is at the root of the problem.

Although a major cause, poverty alone does not cause child labour. As ILO rightly warns, "Poverty is not the only reason for the existence of child labour. The picture varies across households and across regions and countries. Countries which are equally poor may yet have relatively high or relatively low levels of non-school-going children or of working children. Underlying child labour obviously also is the pull factor, the desire to maximise profits and to command an utmost docile and flexible labour force. The absence of a strong (adult) labour movement and a strong civic society in general, in combination with the inertia of government institutions will allow these tendencies a free hand." Thus, child labour is essentially associated with inequality in society.

In India, the correlation between child labour and regional poverty is inconclusive. Some of the poorer states, for different reasons, have a lower child labour count, and some of the richer states have a higher count.

Agricultural development as such may not reduce the incidence of child labour as much as direct efforts to improve the living conditions of marginal farmers and landless labourers. The intensity of child labour, it could be said, rather relates to the

female labour-force participation rate. Literacy rate is another variable which is often used to explain the differences in child employment ratios. Empirically, Kerala furnishes a strong correlation between literacy and the decline of child labour. It is not merely the economic advancement but the overall social development, including education, which plays a major role in the incidence of child labour. This is why Kerala has a lower incidence of child labour than Punjab, Haryana and several other states which have lower poverty ratios. Other states with a relatively high literacy level, like Maharashtra and Tamil Nadu, however, have an above average child labour ratio, indicating that the demand for labour on the pull side is not balanced by a desire for education on the push-side. Educationally backward states like Bihar and Uttar Pradesh, on the other hand, have a relative low child labour ratio because of a falling demand for child labour.

An important fact that has been established by many surveys is that access to education is a general wish among parents and children, but this remains unfulfilled due to the lack of properly functioning government schools.

Poverty, ignorance, illiteracy, exploitation and above all lack of concern are some of the chief factors which are primarily responsible for the unprecedented emergence of child labour. There is, however, another important factor which apparently

looks like traditional but basically economic, is the social and parental apathy. This apathy has deprived hundreds of girl children from their childhood opportunities for preparation for a proper adult life. In the traditional societies girl children are still a neglected lot. Their exploitation differs from boys because their mobility from one job to another is dismally restricted and stereotyped.

In this chapter we have discussed the factors responsible for child labour. These factors are divided into three categories i.e. Social Factor, Economical Factors and Psychological Factors. These factors are further divided as under:

1. Social Factor :

- a) Effect of education/literacy.
- b) Effect of indebtedness.
- c) Effect of orphanage.

2. Economical Factors:

- a) Effect of poverty
- c) Effect of family occupation.
- d) Effect of family size.

3. Psychological Factors:

- a) Effect of compulsion of parents.
- b) Effect of sense of responsibilities.
- c) Effect of substance abuse.

Lack of education or literacy exploit the life of children. Literacy rate is another variable which is often used to explain the differences in child employment ratios. Empirically, Kerala furnishes a strong correlation between literacy and the decline of child labour. It is not merely the economic advancement but the overall social development, including education, which plays a major role in the incidence of child labour.

Parents are engrained in indebtedness which leads to child labour. It is difficult for parents to fulfill their basic needs in their income and above that indebtedness pushes their children into child labour.

Children who have lost their parent/parents have to work for their own livelihood. Some have migrated from rural areas to urban area in search of employment and leading their life in adverse circumstances.

The major determinant of child labour is poverty. After studying the socio-demographic profile of the respondents and through observation while conducting survey, researcher found that maximum child labour were poor, they were working to fulfill the primary needs of the family because the family income is very low.

Parents of child labours are themselves engaged in such kind of occupation that their family income is low and family size is large. Children of such families are left with no other option than working as child labour.

Some parents compel their children to work so that there can be increase in family income and the child don't move as vagabond, as in their opinion education is not beneficial, and children learn work skills through labour at young age. Some children have to bear sense of responsibility because they were elder in the family. There is also substance abuse (i.e. father is alcoholic) in the family so the child forced to take the responsibility of the family on his shoulder.

Table No. -35

Table showing Effect of Social, Economical and Psychological Factors responsible for child labour

Sl. No.	Social Factors	Yes	No	Can't Say	Total	Economical Factors	Yes	No	Can't Say	Total	Psychological Factors	Yes	No	Can't Say	Total
1-	Effect of Education/Literacy	156 (52%)	80 (26.7%)	64 (21.3%)	300 (100%)	Effect of Poverty	240 (80%)	60 (20%)	0	300 (100%)	Effect of compulsion of parents	219 (73%)	71 (23.7%)	10 (3.3%)	300 (100%)
2-	Effect of indebtedness	111 (37%)	68 (22.7%)	121 (40.3%)	300 (100%)	Effect of family occupation	230 (76.7%)	59 (19.7%)	11 (3.6%)	300 (100%)	Effect of sense of responsibilities	25 (8.3%)	210 (70%)	65 (21.7%)	300 (100%)
3-	Effect of orphanage	118 (39.3%)	167 (55.7%)	15 (5%)	300 (100%)	Effect of family size	202 (67.3%)	86 (28.7%)	12 (4%)	300 (100%)	Effect of substance abuse	25 (8.3%)	5 (1.7%)	270 (90%)	300 (100%)

There are many factors which give birth to child labour. These factor can be divided into three parts **Social Factor, Economical Factors and Psychological Factors**. It evident from the social factors that majority i.e. 52 percent respondents believe that lack of education, illiteracy leads to child labour. Illiteracy among parents leads illiteracy in children because they are not aware of importance of education. Further, table reveals that 39.3 percent respondents are of opinion that orphanage is one of the social factor of child labour responsible while 37 percent respondents opined that indebtedness also results in child labour. Parents of child labour are indebted due to low income, alcoholism and other reason, therefore they engage their children in different work to earn money for livelihood.

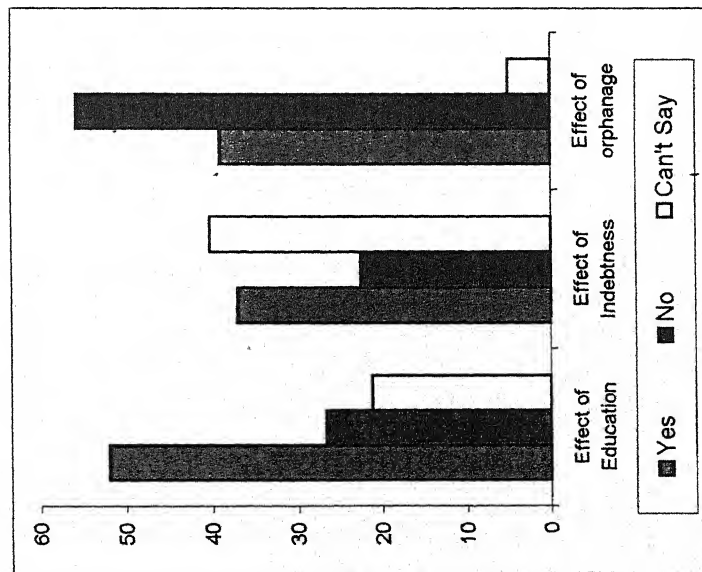
Economical factors include poverty, family occupation and family size. The major determinant of child labour is poverty as 80 percent respondents opined. 76.7 percent respondents think that family occupation as also the cause. Their parents are involve in such kind of occupation that monthly income is low and so the child is also involved in that occupation like beedi making, vendor, hawker etc. In the opinion of 67.3 percent respondents large family size is responsible for small children to work. Monthly income of the family is not sufficient to fulfill their basic needs of food, clothing and shelter. Earnings of child labour play important role in family income.

Psychological factors are also responsible for child labour. Majority i.e. 73 percent of the respondents said that they have to indulge in child labour because of compulsion of parents, 8.3% of respondents have to work to fulfill some responsibilities that include indebttness of parents, being elder in the family, lost their father etc., other 8.3 percent respondents father was alcoholic so they torture the child to fulfill his family needs and do the work.

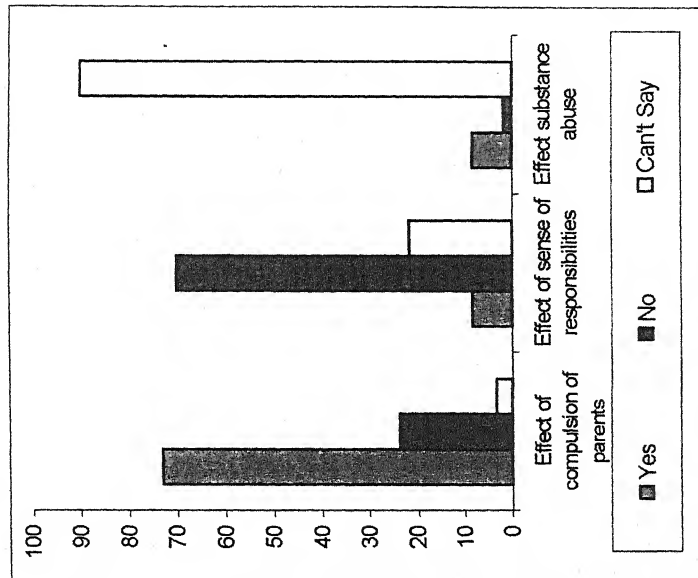
This table concludes that poverty alone is not responsible for child labour but there are many factor responsible for a child to work which can be psychological or economical, it depends on the family background of each child labour and also the area or region. In this Bundelkhand region indebttness, poverty, illiteracy, compulsion of parents are the main factors. As ILO rightly warns "Poverty is not only the reason for the existence of child labour". But this is also very true that 'Poverty' is the mother of all the factors responsible for child labour.

Graph No. - 12

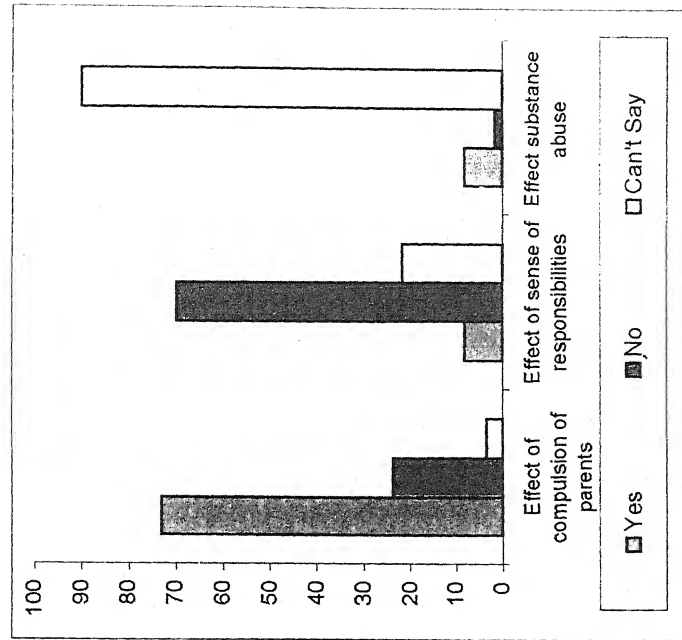
GRAPH SHOWING EFFECT OF SOCIAL, ECONOMICAL AND PSYCHOLOGICAL FACTORS RESPONSIBLE FOR CHILD LABOUR



Social Factors



Economical Factors



Psychological Factors

Chapter VI
FORMS OF EXPLOITATION

Chapter VI

FORMS OF EXPLOITATION

With credible estimates ranging from 60 to 115 million, India has the largest number of working children in the world. Whether they are sweating in the heat of stone quarries working in the fields sixteen hours a day, picking rags in city streets, or hidden away as domestic servants, these children endure miserable and difficult lives. They earn little and are abused much. They struggle to make enough to eat and perhaps to help feed their families as well. They do not go to school; more than half of them will never learn the barest skills of literacy. Many of them have been working since the age of four or five, and by the time they reach adulthood they may be irrevocably sick or deformed-they will certainly be exhausted, old men and women by the age of forty, likely to be dead by fifty.

Most or all of these children are working under some form of compulsion, whether from their parents, from the expectations attached to their caste, or from simple economic necessity. At least fifteen million of them, however, are working as virtual slaves. These are the bonded child labourers of India.

A large number of India's disadvantaged children, especially girls, are vulnerable to violence, abuse and exploitation.

While many families live in remote areas with very few livelihood options, others are caught up in unrelenting cycles of migration in search of work. Still other families consist of single-parent households where survival itself is at times a formidable struggle. Violence and abuse in some of these settings fails to provide children with an environment where their rights are protected.

Such children are often pushed either into commercial sex work or low-paid labour. Often families with little or no income are compelled to sell their children to others who offer the child work. There are estimated to be more than 12 million child labourers in India. Most have never been to school or have dropped out before completing primary school. In Bihar, Nagaland, Mizoram, Rajasthan and Uttar Pradesh, 60 per cent or more girls dropped out before completing their first five years of education.

The significance and impact of violence on children's lives is also enormous. It can force children out of school and into work and drive them from home onto the streets. The presence of a large number of street children, who do not have any identity and receive no protection either from the family or the state, makes the situation more complex.

Roughly 20 per cent of the Indian population is considered migrant, 77 per cent of whom are women and children. They are

often at greater risk of exploitation and tend to accept jobs on unfair terms. Mobility usually means surviving without family and community support networks, and children tend to suffer disruption to their education and access to basic services.

Forced relocation in conditions of distress, natural disasters or conflict also affects whole families, psychologically and economically.

Trafficking of girls for commercial sexual exploitation, domestic labour and forced early marriages continues to be a serious problem.

For a vast number of trafficked women and children, who are subsequently rescued, rehabilitation and repatriation mechanisms are scarce and reintegration is arduous.

Children pay high price for cheap labour

Millions of children work to help their families in ways that are neither harmful nor exploitative. But millions more are put to work in childhood of all joy and crush the right to normal physical and mental development.

This is the kind of work that the Convention on the Rights of the Child seeks to end. Article 32 sets out the right *"to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical,*

mental, spiritual, moral or social development."

By and large, it is the children of marginalized communities, their futures already threatened by inadequate diet and health care, who are at greatest risk from exploitation at work. In India, the majority of children in servitude are children from low castes or tribal minorities. In Latin America, the highest incidence of child labour is found among the indigenous people.

Often such children are as young as six or seven years old. Often their hours of labour are 12 to 16 hours a day. Often their place of work is the sweatshop, the mine, the refuse heap, or the street. Often the work itself is dull, day-long, repetitive, low-paid or unpaid. Sometimes the child works under the threat of violence and intimidation, or is subject to sexual exploitation.

In the 1990s, child labour has found a new niche in the rapidly expanding export industries of some developing countries. In one small carpet factory in Asia, children as young as five were found to work from 6 in the morning until 7 at night for less than 20 cents a day. In another, they sat alongside adults for 12 to 14 hours in damp trenches, dug to accommodate the carpet looms on which they wove. In a garment factory, nine-year-olds worked around the clock sewing shirts for three days at a stretch, permitted only two one-hour breaks, during which they were forced to sleep next to their machines.

Extracting such high human cost, child labour is nevertheless cheap. A shirt that sells in the United States for \$60 can cost less than 10 cents in labour.

Such labour takes an enormous toll on children, in stunted intellectual and physical development, in chronic lung diseases, in ruined eyesight and bone deformations, and sometimes in death.

Those who survive pay a high price in lost development, often passing that price on to their own children, forging the shackles of poverty, ignorance and servitude across the generations.

Child labour can be ended, and the right of the child to be protected from exploitation can be enforced, by new laws, by enforcing existing laws, by media pressure, and by enrolling more children in school. Following media exposure, for example, consumer boycotts of Asia carpets in European countries have begun to bite. A child-labour-free trademark should soon be appearing on the carpets produced by Indian manufacturers that meet the requirements of the Rugmark Foundation - an organization whose members include non-governmental organizations (NGOs), representatives of the German Export Promotion Council, UNICEF, and owners of Indian carpet companies. Participating industries have agreed to allow monitoring of their factories at regular intervals - and spot checks by NGOs.

Ultimately, it is the meeting of another basic right - the right to education - that can do most to protect the child from economic exploitation. Children cannot be abused in fields or factories if they are sitting in classrooms. And it is, above all, increasing school enrolment and retention that will withdraw millions of children from the workforces of the world. Unfortunately, the children most likely to be exploited are those who are hardest to reach with conventional schooling.

What is apparent is the fact that child labourers are being exploited, shown by the pay that they receive. For the same type of work studies show that children are paid less than their adult counterparts. Table 6-A shows a comparison of child wages to adult wages obtained by a study of child workers in the Delhi region of India. Although 39.5% of employers said that child workers earn wages equal to adults, if the percentage of employers admitting that wages are lower for children are added up, a figure of 35.9% is found. This figure is significant when taking the bias of employers into account. Employers would have been likely to defend their wages for child workers, by saying that children earn the same wages as adults. The fact that no employers stated children earned more than adults, should be also be noted. Other studies have also concluded that "children's earnings are consistently lower than those of adults, even where there two groups are engaged in the same tasks"¹

1- Bequele and Boyden cited in Grootaert and Kanbur, 1995, 195.

Table 6-A : Comparison of child wages and adult wages for the same type of job, (Child workers of Delhi region - sample study, 1983 cited in Nangia 1987, 198).

	Child wages compared to adult wages					
	Equal	Equal to Half	Half to one third	One third to One quarter	Less than One quarter	Uncertain
Percent according to employers response	39.5	19.1	7.0	3.7	6.1	24.7

Available statistic suggest that more boys than girls work. It should be borne in mind, however, that the number of working girls is often underestimated by statistical surveys, as they usually do not take into account full-time housework performed by many children, the vast majority of whom are girls, in order to enable their parents to go to work. Girls, moreover, tend to work longer hours, on an average , than do boys. This is especially true for the many girls employed as domestic workers, a type of employment in which hours of work are typically extremely long.

The making of beedi cigarttes is one such industry. The average advance in the veedi industry is 1,500 rupees. the average number of beedies a bonded child labourer rolls in a day is 1500 for an average daily wage of nine rupees. Were the

value of the child's labour to be counted as gradual payment of the money advanced and were it calculated honestly, at the official minimum wage established for beedi rolling (30.9 rupees for thousand beedies) the agent employer would recoup in labour value the original debt in about six weeks. But the beedi worker's debt is not set off against the value of the labour, and the labour's value is not compensated honestly. If it were, the child would be earning forty or fifty rupees a day instead of nine, and would be able to save enough to quickly fulfill the lump sum payment requirement of the original advance. As it is, this requirement, together with the abysmally low "wages" paid, virtually ensure that the bonded child will not escape servitude. Most children work many years for their agents, for which the agents, and particularly the owners of the beedi companies, profit handsomely. It is, simply, a severe form of economic exploitation.

Work conditions are dangerous to the health of the child in the beedi industry, the long hours spent hunched over the basket of tobacco causes growth deformities, and the constant proximity to tobacco dust causes and exacerbates lung disease there is a very high rate of tuberculosis in communities dedicated to the manufacture of beedi.

In carpet weaving the occupational diseases are similar: the children sit in a cramped space all day long, inhaling wool fibers

and dust. As a result, the carpet weavers are prone to emphysema and tuberculosis; they also suffer frequent cuts to their hands and fingers, which may be "cured" by cauterizing them with burning sulphur. Silk workers face similar long and short-term hazards.

The silver workers suffer frequent burns on their hands and arms, the leather workers exposed to toxic chemicals long banned in developed countries, and the gemstone polishers are subject to both cuts and toxic contamination. All of these workers, given their cramped and unsanitary work places, suffer a high risk of contracting tuberculosis and other disease of poverty.

Three of industries mentioned - carpet weaving, beedi rolling, as "hazardous" under India's Child Labour (Prohibition and regulation) Act of 1986. But the government itself violating the Central Government's Handloom and Handicrafts Export Corporation runs approximately two hundred. Training Centres" for child labours in the carpet industry. Within these groups, children are probably the most exploited. On justification for child labour in the small fingers of children are more productive than those of adults (Nevertheless, the quality carpets that can be sold at the highest prices are often those made by adults.) Today, the carpet industry in India is mainly concentrated in the northeastern state of Uttar Pradesh, which shares its border with

Nepal. The "carpet belt" located in Uttar Pradesh is centered around the cities of Mirzapur, Varansasi and Bhadohi. There are an estimated 70,000 looms in Uttar Pradesh. 95% of these operations are not registered under the Factory Act or the Shops and Establishment act because they are comprised of one man who owns only two looms run by a crew of no more than a few young boys. In addition, many of these looms are located in small villages of in remote areas making them difficult to monitor.

Some children become bonded labourers because they are given to the loom owners on the false promise of an education or good wages (to be sent back home to help the family). Even more children are simply kidnapped and sold into slavery. In each case, children are enslaved and typically live at the loom where they work. "The roots of bonded labour run deep into history. " It was born out of a melange of class, caste, and power and is maintained by commercial, political and bureaucratic vested interests, corruption, psychological as well as physical dominance, and that most nebulous of all oppressors, custom.

In conclusion it can be said that even though the practice of child debt servitude has been illegal in India since 1933, when the Children (Pledging of Labour) Act was enacted under British rule. Since independence, a plethora of additional protective legislation has been put in place. There are distinct laws

governing Child Labour in factories, in commercial establishments, on plantations, and in apprenticeships. There are laws governing the use of migrant labour and contract labour. A relatively recent law the Child Labour (Prohibition and Regulation) Act of 1986 designates a child as " a person who has not completed their fourteenth year of age. It purports to regulate the hours and conditions of some child workers and to prohibit the use of child labour, in certain enumerated hazardous industries. (There is no blanket prohibition on the use of child labour, nor any universal minimum age set for Child Workers) Act, 1976, which strictly outlaws all forms of debt bondage and forced labour. These legal safeguards mean little and coverage under the act should be expanded to include agriculture and informal sectors. However , what is needed is strong political , will, legislation with more teeth and universalisation of primary education.

The most immediate consequence of child labour is the mutilation of the personality of the child who can not hope to grow into a healthy and creative adult. It has also wider socio-economic ramifications.

If we look at the supply side of child labour, we find that all the cause of the supply of child labour have positive feedback effects. Poverty, for example, is the primary cause of child labour, but child labour increases adult unemployment and

lowers adult wages and hence perpetuates poverty. This feedback effects is insidious. As it mans formation of human capital for the future labour market so that he or she will be unable to earn more as an adult. Hence any partial and segmented approach will not be effective. Developmental factors including educational Measures and social security measures must be integrated into any strategy for elimination of child labour.

The supply of cheap child labour which is naturally based on low technology will hamper modernisation and higher productivity. The continuation of child labour is a recipe for any economy to get stuck at low wages, low productivity and low growth rates.

States Parties recognise the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or interfere with the child's education, or to be harmful to the child's health or physical, mental spiritual, moral or social development. Anker and Melkas have tried to define child labour by suggesting some characteristics of child work are as follows:

- work by very young children;
- long hours of work on a regular full-time basis;
- hazardous physical conditions (physically or mentally);
- no or insufficient access, attendance or progress in school;

- abusive treatment by the employer;
 - work in slave like treatments (bonded labour)
- (Anker and Melkas, 1996 :4)

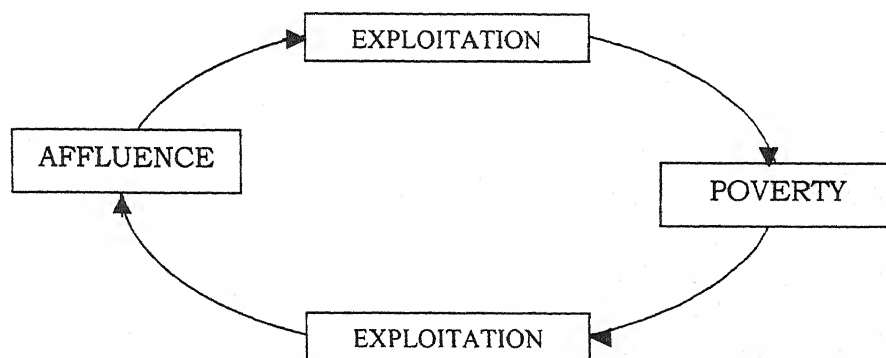
It appears from the above definitions that when a human child is deprived from usual preparation for adult life because it works to survive, then the child is a labourer.

CAUSES OF CHILD LABOUR

There are many causes of child labour. However, the main cause portrayed as 'poverty'. The problem of poverty is the result of economic processes. In capitalist economies a large segment of working people is wage earners. Their access to means of production is, in most of the cases, negligible and insignificant and sometimes nil. In Third World in general and in India particular (and even in any developed industrial country) a large segment of rural and urban population live below the poverty line. Besides, land-man ratio has already become extremely unfavourable. Moreover, the Third World is in the grip of foreign debt-trap. These problems have been topped by one more problem population. The capitalist expropriation process, together with the above problems, has added new dimensions to the poverty scenario. And child labour is one of the pernicious and evil manifestations of the growing volume of all engulfing

poverty and exploitation. Today the Third World is a basketful bounty of cheap and cheapest labour force: the adult labour is cheap and the child labour is the cheapest for the capitalists, and for any owner of means of production to reap profits.

Capitalism survives and flourishes only on extra extraction of surplus. Where the human labour factor is vulnerable, the opportunity to extract surplus is greater. And child workers are the most vulnerable human factor in the production coincidence. It is a systematic outcome engendered by the process of capitalist exploitation. The economic process of exploitation runs as follows:



A child worker is the most hapless, and voiceless victim of this process. The inequality-led poverty is also another sustaining factor:

Child work is, thus, associated with greater inequalities of income and wealth. It is both a symptom and a cause of poverty through the process of lifetime disadvantage it implies; via lack of access to schooling; through the low wage mechanism it

encourages and sustains; through the higher fertility and fragmentation of assets which it implies for the long terms; or where wealthy peasant families with more children can work and therefore secure more land (Fyfe, 1989:25).

In this chapter we have discussed different forms of exploitation of child labour. They are been exploited in the form of duration of work, monthly wages, rest intervals, problems faced, about physical torture by the employer, weekly holiday as prescribed by Factories Act, 1948, provision for accident recovery, behaviour of the employer etc.

As we know child labours are not demanding, they don't form any union, never argue and non-complaining . They have to work for long hours some even work for more than 8 hours to 10 hours. Being children their wages are in significant as compared to adults, for the same kind of job. For extra work they don't get any extra payment. Working for long duration many child labours don't get sufficient time to take rest in between. Because of tiresome work, long working hours affect their sleeping habits. Child labours face many problems during their job like irregularity in payment, unfixed working hours, children have to work for extra duration also. Long working hours without proper rest period and hectic nature of job results in exertion /fatigue . Job insecurity is also one of the major problem faced by the child labours. They work under the constant threat of job insecurity.

Being child it is very genuine that mistakes will be committed by them but some employers physically torture the child labour on making mistakes concerning performance or any harm to employment.

Factories Act, 1948 state that all the employees working in Factories or in any establishment are liable for weekly holiday of 24 hours after every 6th day but some children never get holidays regularly.

The sample population was not working in any big factories where there are chances of severe accidents but those who met an accident at employment place was simple injury on hands, legs, finger/toes or skin. Occupational disease like deafness or eye weakness can be detected only after medical examination and these respondents have never been for such examination.

Human nature is very unpredictable. Employer of child labour can easily scold or physically torture the child than to any adult worker. But there are people who employ children because of their circumstances, they are caring and co-operative for the child.

Table No. - 36
Table showing type of work

Sl. No.	Age	Number	Percentage
1.	Domestic Work	20	6.70
2.	Factory / Bidi making	100	33.30
	Tea / Sweet Shop	38	12.70
	Electrical / Mechanical Wok	74	24.60
	Vendor	26	8.70
	Any other	42	14.00
	Total	300	100.00

It is apparent from the above table that 33.3 Percent were engaged in factory work / Bidi making, 24.6 percent in Electrical / Mechanical work, 14 percent in other work which include sweeping at shop, rag picking, labours at construction sites, shoe-shiners, engaged in shops like confectionary, clothes, general merchant, tailors and so on. 8.7 percent were vendors-vegetable, chat, fruits, utensils, posters, toffee, gutka, pan masala sellers etc. and 6.7 percent were domestic labour.

Since Jhansi district comes under Bundelkhand Region, which is a backward region, so traditional employment like bidi making are found to be more in this area. Employment opportunity are more in this trade since it being easily available this is also reflected through above table.

It can be concluded that children were involved in many activities and performed different types of work.

Graph No. 13

TYPE OF WORK PERFORMED BY CHILD LABOUR

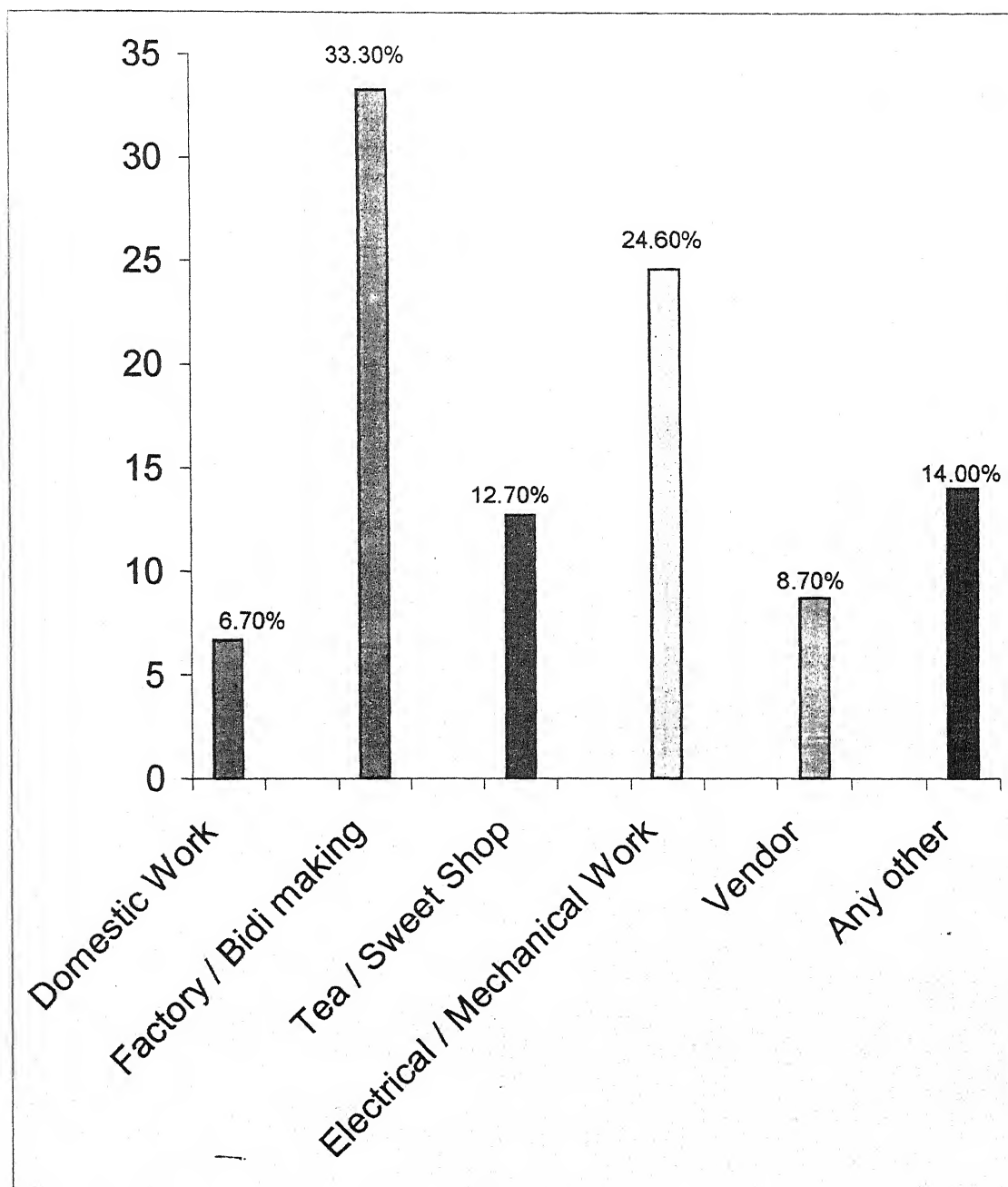


Table No. - 37

Table showing duration of work

Sl. No.	Duration	Number	Percentage
1.	1-4 hours	24	8.00
2.	5-7 hours	164	54.70
3.	8 - 10 hours	112	37.30
	Total	300	100.00

It is evident from the above table that 54.7 percent children work for 5 to 7 hours daily, further table reveals that 37.3 percent work for 8 hours and sometime more than 8 hours daily while only 8 percent children work for 1 to 4 hours daily, as a part time job which they perform in evening as forced by parents because in morning they attend the school.

Graph No. 14
DURATION OF WORK

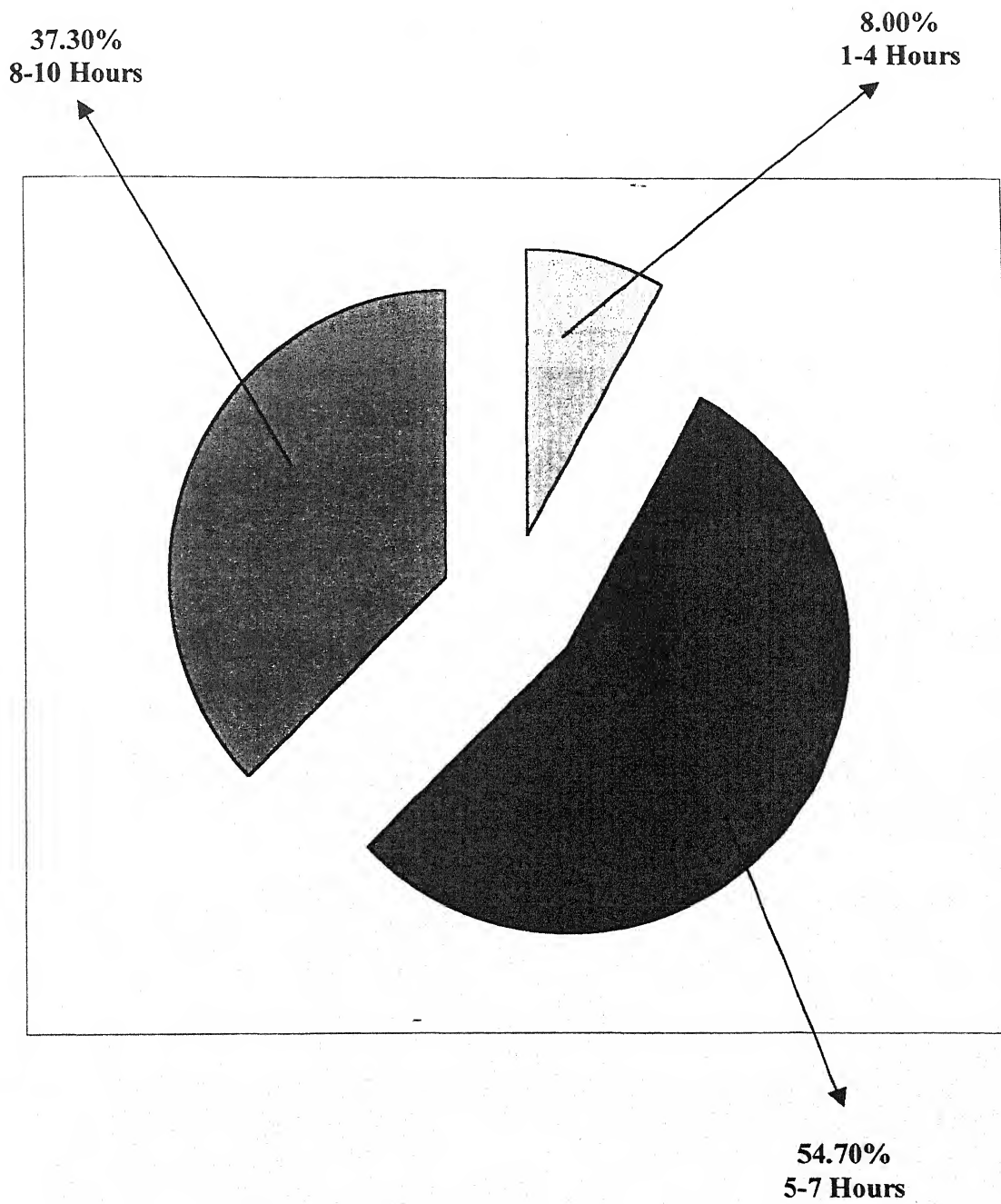


Table No. - 38

Table showing food/eatables provided by the employer

Sl. No.	Responses	Number	Percentage
1.	Always	8	2.90
	Sometimes	47	12.70
	Never	218	79.90
	Total	273	100.00

It is apparent from the above table that 79.9 percent of the working children do not get any food/eatable from the employer. The respondent carry their own food or they take break for half an hour and go to their house. 17.2 percent of the respondents get food, sometimes from their employer and 2.9 percent of the respondents always get food from their employers and this is deducted from their wages while other children who stay with their employer also get food. For 27 respondents this table is not applicable because they were working with their parents so they get food from their home only.

Table No. - 39

Table showing rest taken by working children in afternoon

Sl. No.	Responses	Number	Percentage
1.	Always	1	0.30
2.	Sometimes	76	25.30
3.	Never	223	74.30
	Total	300	100

It is evident from the above that 74.3 percent of the working children don't take rest in between the working hours. 25.3 percent of the respondents sometimes take rest for 15-30 minutes. Only 0.3 percent of the respondents always take rest for 30-60 minutes which they get in between when they go home to take meals in afternoon.

Table No. - 40

Table showing expectations from the employer

Sl. No.	Expectation	Number	Percentage
1.	Increase in wages	36	12.00
2.	Provision of food	8	2.70
3.	Leaves with wages	2	0.70
4.	Interval for rest	0	Nil
5.	Friendly and Co-operative	10	3.30
6.	Nothing	244	

It is evident from the above table that 81.3 percent of the respondent expect nothing from their employer because they are not aware of the needs which should be fulfilled by the employer. Children were working because they were asked to work or because of circumstances they have involved them selves to work and indulge in child labour. 12 percent of the respondent expects that their employer should increase their wages. 3.3 percent of the respondents expect that their employer should be more friendly and co-operative. 2.7 percent of the respondent that there should be provision of food and work place and 0.7 percent of the respondent expect more leaves with wages.

Table No. - 41

Table showing Problem faced by child labours

Sl. No.	Problems	Response		No.	Percentage
		Yes	No		
1.	Irregular payment	126 (42.00%)	174 (58.00%)	300	100
2.	No fixed working hours	89 (29.70%)	211 (70.30%)	300	100
3.	Exertion / Fatigue	160 (53.30%)	140 (46.70%)	300	100
4.	Job insecurity	272 (90.70%)	28 (9.30%)	300	100

Figure in parenthesis indicate percentage.

All respondents were asked regarding problems face by them in different areas. Regarding irregular payment 58 percent of the respondents opined that irregularities in payment is no observed, they receive their wages on time.

70.3 percent of the respondents revealed that they has fix working hours which depend on the nature of their work.

Exertion from their work or fatigue was felt by 53.3 percent of the respondents. The job being tedious and the work load being more makes them exhausted by the end of the day.

Job insecurity was the area in which respondents faced major problem as revealed by 90.7 percent of the respondents since they were not under any legal agreement or child labour being social problem and illegal profession. They had no legal right to fight for the permanency of their job. it depends on the employer to continue or remove from the service. Sometimes the nature of work being seasonal or temporary, job insecurity exists.

Graph No. 15

GRAPH SHOWING PROBLEMS FACED BY CHILD LABOUR

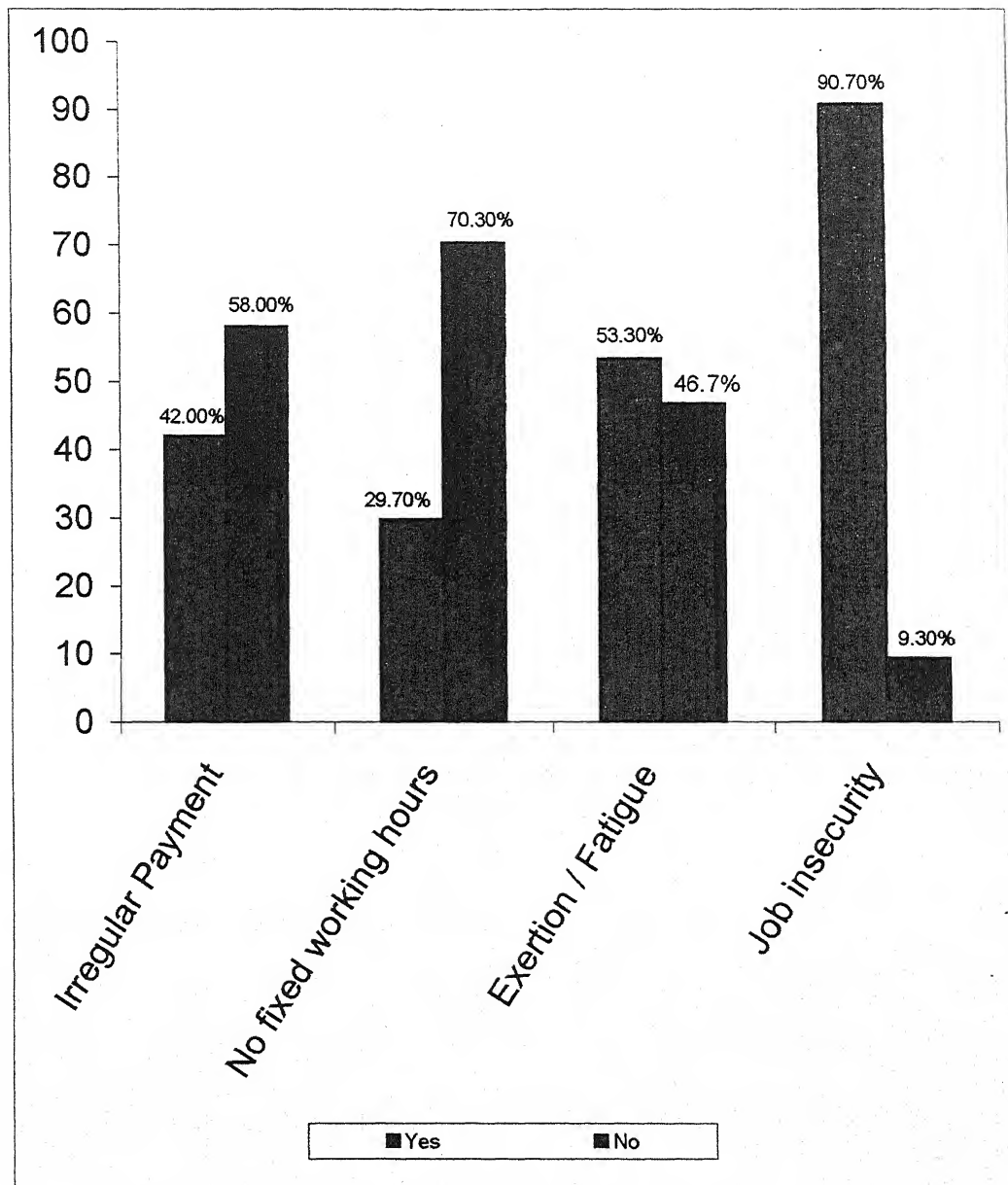


Table No. - 42

Table showing physical torture by the employer

Sl. No.	Physical Torture	Number	Percentage
1.	Always	0	0.00
2.	Sometime	82	27.30
3.	Never	218	72.70
	Total	300	100.00

It is evident from the above table that 72.7 percent employers don't torture the child labour. On the other hand 27.3 percent employers sometimes torture the working children for same reasons.

Physical torture is done by the employer in many form. The child is beaten up by the employer or torture for some reasons which are discussed in the next table. But it was astonishing to learn that majority of respondents were not tortured by the employer, either they were afraid of revealing the fact or if true this will reduce the prejudice society has about employers torturing child labour.

Table No. - 43

Table showing reasons for torture

Sl. No.	Reasons	Number	Percentage
1.	On coming late	7	8.50
2.	On refusing any work	7	8.50
3.	On making mistakes	65	79.30
4.	Taking rest between work	0	0.00
5.	Taking leaves	3	3.70
6.	Any other	0	0.00
	Total	82	100.00

In reference to the previous table, reasons for torture are discussed in this table. It is evident from the above table that the 79.30% beat the working children on making mistakes, 8.5 percent oncoming late and on refusing for any work respectively. 3.7 percent beat for taking leaves. Majority of respondents revealed the reasons being mistake i.e. concerning their performance or any harm to employment place which is an error being a child.

Table No. - 44

Table showing the provision of weekly holiday

Sl. No.	Weekly Holiday	Number	Percentage
1.	One	154	51.30
2.	Two	0	-- Nil
3.	None	146	48.70
	Total	300	100.00

It is apparent from the above table that 51.3 percent working children get a day leave in a week. On the other hand 48.7 percent get no weekly holidays. This include children those who were vendors, involved in bidi making, domestic work or any other. After asking informally we came to know that these 48.7 percent get leave when they require for some particular reason only i.e. when sick, marriage in the family, going to their native village etc.

Since child labour practice being banned or illegal, therefore the child labour cannot claim weekly holiday as their right. As we know that Factories Act. 1948 provides a weekly holiday, which is binding on employer.

Table No. - 45

Table showing accident faced during the job

Sl. No.	Responses	Number	Percentage
1.	Yes	23	7.70
2.	No	277	92.30
	Total	300	100.00

It is evident from the above table that 92.3 percent of the respondents have not faced any accident during the job. On the other hand 7.7 percent of the respondents met accident during the work at employer's place. The accidents were due to employment conditions.

Table No. - 46

Table showing the body part affected in the accident

Sl. No.	Part	Number	Percentage
1.	Leg	1	4.30
2.	Hand	8	34.80
3.	Lungs	0	Nil
4.	Eyes	0	Nil
5.	Ears	0	Nil
6.	Fingers/Toes	10	43.50
7.	Skin	4	17.40
	Total	23	100.00

Only 23 respondents out of 300 were effected by accident. It is evident from the above table that 43.5 percent respondent's fingers / toes were affected because of accident and 34.8 percent respondent's hands were affected. 17.4 percent respondent's skin was affected and further 43 percent respondent's leg/s were affected. The accident were not so severe as explained by the respondents. There is no permanent disablement or partial disablement.

The injury at hand, leg, finger or toes is visible and can be felt, but lungs, eyes & ears require medical examination words to know the nature and extend of harm caused. Therefore researcher was unable to know the extend as medical examination was not done.

Table No. - 47

Table showing compensation or treatment received after accident

Sl.No.	Responses	Number	Percentage
1.	Yes	22	95.70
2.	No	1	4.30
	Total	23	100.00

It is evident from the above table that 95.7 percent respondent's got treatment in the form of first-aid from the employer at the work place. On the other hand 4.3 percent respondent's did not got any treatment of compensation from the employer.

Table No. - 48

Table showing Behaviour of employer towards child labour

Sl.No.	Behaviour	Number	Percentage
1.	Rude / Harsh	24	8
2.	Strict	155	51.70
3.	Caring / Supportive	121	40.30
	Total	300	100.00

It is evident from the above table that 51.7 percent of the respondent's employer were strict in their behaviour, they even deduct wages on making mistakes or taking leaves. 40.3 percent of respondent's employer were caring and supportive. 8 percent of respondent's employer were rude / harsh they scold and some time even physically torture the child.

Chapter-VII

PERCEPTION OF RESPONDENTS REGARDING LEGISLATIONS

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PERCEPTION OF RESPONDENTS REGARDING LEGISLATIONS

The government has hoped to hide is the news that, no matter how the data are analyzed official efforts to end the exploitation of child labourers are woefully deficient. Former Prime Minister P. V. Narasimha Rao, for example, made much of his initiative, announced in 1994, to bring two million children out of hazardous employment by the year 2000. Two, million represents only 1.7 to 3.3 percent of the nation's child labourers; the fate of the other 58 to 113 million children was not addressed. In a welcome move, the United Front Government, elected in May 1996, has promised to eradicate child labour in all occupations and industries, and has stated that the right to free compulsory elementary education should be made a fundamental right and enforced through suitable statutory measures. It remains to be seen what measures the government will take to fulfill these promises.

Central Government Interventions

*** National Programme for Nutritional Support to Primary Education:**

The National Programme for Nutritional support to Primary Education (NP-NSPE), popularly known as Midday Meal

Scheme, was launched in 1995. The programme is designed to give a boost to the universalisation of primary education by impactnig enrolment, attendance, retention and the nutritional needs of children in primary classes.

* **Sarva Shiksha Abhiyan (SSA)**

The Ministry of Human Resource Development has launched a new scheme called the 'Sarva Shiksha Abhiyan'. (Education for all) to incorporate all the existing schemes and programmes in the elementary education to all children in the age group of 6-14 years by 2010. There will be a special focus on girls, children belonging to SC/ST communities, urban slum-dwellers and low female literacy blocks.

* **Early Childhood Education [ECE]**

The ECE scheme is being implemented as a strategy to reduce dropout rates and to improve the rate of retention of children in schools. The scheme is run by voluntary organisation through 4365 centres in nine educationally backward states of Andhra Pradesh, Assam, Bihar, Jammu and Kashmir, Madhya Pradesh, Orissa, Rajasthan, Uttar Pradesh and West Bengal.

* **An Integrated Programme for Street Children :**

The programme provides for shelter, nutrition, health care, education and recreation facilities to street children and seeks to protect them against abuse and exploitation.

* **National Child Labour Policy (NCLP)**

A Major activity undertaken under the NCLP is the establishment of special schools to provide non-formal education, vocational training, supplementary nutrition, stipend, health care etc., to children withdrawn from employment.

India Government Policy on Child Labour

From the time of its independence, India has committed itself to be against child labour. Article 24 of the Indian constitution clearly states that "No child below the age of fourteen years shall be employed to work in any factory or mine or employed in any hazardous employment" (Constitution of India cited in Jain 1985,218). Article 39 (e) directs State policy such "that the health and strength of workers. . . and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength" (Constitution of India cited in Human Rights Watch 1996,29). These two articles show that India has always had the goal of taking care of its children and ensuring the safety of workers. The Bonded Labour System Act of 1976 fulfills the Indian Constitution's directive of ending forced labour. The Act "frees all bonded labourers, cancels any outstanding debts against them, prohibits the creation of new bondage agreements, and orders the economic rehabilitation of freed bonded labourers by the state" (Human Rights Watch 1996,30). In regard to child

labour, the Indian government implemented the Child Labour Act in 1986. The purpose of this act is to "prohibit the employment of children who have not completed their 14th year in specified hazardous occupations and processes" (Narayan 1988, 146). ILO Convention No. 138 suggests that the minimum age for employment should not be less than fifteen years, and thus the Child Labour Act of 1986 does not meet this target (Subrahmanya 1987, 105).

A recent advance in government policy occurred in August of 1994, when then Prime Minister Narasimha Rao announced his proposal of an Elimination of Child Labour Programme. This program pledges to end child labour for two million children in hazardous industries as defined in the Child Labour Act of 1986, by the year 2000. The program revolves around an incentive for children to quit their work and enter non-formal schooling: a one hundred rupee payment as well as one meal a day for attending school (Human Rights Watch 1996, 119-120). Where the funds for this programme will come from is unknown. The government needs eight and a half billion dollars for the program over five years, and yet "about 4 percent of the five year estimated cost was allocated for child labour elimination programs in 1995-1996" (Human Rights Watch 1996, 120).

All of the policies that the Indian government has in place are in accordance with the Constitution of India, and all support

the eradication of Child Labour. The problem of child labour still remains even though all of these policies are existent. Enforcement is the key aspect that is lacking in the government's efforts. No enforcement data for child labour laws are available: "A glaring sign of neglect of their duties by officials charged with enforcing child labour laws is the failure to collect, maintain, and disseminate accurate statistics regarding enforcement efforts" (Human Rights Watch 1996, 131). Although the lack of data does not mean enforcement is non-existent, the number of child labourers and their work participation rates show that enforcement, if existent, is ineffective.

Article 45 of the Constitution of India states that "The State shall endeavour to provide within a period of ten years from the commencement of this Constitution for free and compulsory education for all children until they complete the age of fourteen years" (Jain 1985, 219). It is obvious that "the State" has not achieved this goal, shown by the literacy, dropout, and child work participation rates. A National Policy on Education was adopted in 1986, and it addresses the need to "expand and improve basic education" (The World Bank 1995, 124). Recently, the Central Government implemented The District Primary Education Program (DPEP), is an attempt to act on the recommendations of the National Policy on Education. The program involves the subsidizing of approved investments, by

the Government of India. The central government will provide a grant of 85% on expenditures by the states (The World Bank 1995,123). Since these measures have been implemented very recently, results cannot be obtained and the effectiveness of the DPEP cannot be commented on at this time.

The Constitution of India clearly states that child labour is wrong and that measures should be taken to end it. The government of India has implemented the Child Labour Act in 1986 that outlaws child labour in certain areas and sets the minimum age of employment at fourteen. This Act falls short of making all child labour illegal, and fails to meet the ILO guideline concerning the minimum age of employment set at fifteen years of age. Though policies are in place that could potentially reduce the incidence of child labour, enforcement is a problem. If child labour is to be eradicated in India, the government and those responsible for enforcement need to start doing their jobs. Policies can and will be developed concerning child labour, but without enforcement they are all useless.

The Government of India is determined to eradicate child labour in the country. The world's largest child labour elimination program is being implemented at the grass roots level in India, with primary education targeted for nearly 250 million. In this a large number of non-governmental and voluntary organizations are involved. Special investigation cells

have been set up in States to enforce existing laws banning employment of children in hazardous industries. The allocation of the Government of India for the elimination of child labour was \$10 million in 1995-96 and \$16 million in 1996-97. The allocation for the current year is \$21 million.

The International Program on Elimination of Child Labour (IPEC) has the world's largest international initiative on child labour in India. The total outlay under this program between 1992 and 1996 has been \$4.15 million.

In India, the post-independence era has seen an unequivocal commitment of the government to the cause of children through constitutional provisions, legislation, policies and programs. The Constitution of India in Article 39 of the Directive Principles of State Policy pledges that "the State shall, in particular, direct its policy towards securing ... that the health and strength of workers, men and women, and the tender age of children are not abused, and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength, that children are given opportunities and facilities to develop in a healthy manner, and in conditions of freedom and dignity, and that childhood and youth are protected against exploitation, and against moral and material abandonment"

As a follow-up of this commitment, and being a party to the UN Declaration on the Rights of the Child 1959, India adopted

the National Policy on Children in 1974. The policy reaffirmed the constitutional provisions and stated that "it shall be the policy of the State to provide adequate services to children, both before and after birth and through the period of growth to ensure their full physical, mental and social development. The State shall progressively increase the scope of such services so that within a reasonable time all children in the country enjoy optimum conditions for their balanced growth."

India has also ratified on December 2, 1992, the convention on the Rights of the Child which came into force in 1990. This ratification implies that India will ensure wide awareness about issues relating to children among government agencies, implementing agencies, the media, the judiciary, the public and children themselves. The Government's endeavor is to meet the goals of the Convention and to amend all legislation, policies and schemes to meet the standards set in the Convention.

India is also a signatory to the World Declaration on the Survival, Protection, and Development of Children. In pursuance of the commitment made at the World Summit, the Department of Women and Child Development under the Ministry of Human Resource Development has formulated a National Plan of Action for Children. Most of the recommendations of the World Summit Action Plan are reflected in India's National Plan of Action.

India's policy on child labour has evolved over the years against this backdrop and its present regime of laws relating to child labour has a pragmatic foundation, consistent with the International Labour Conference resolution of 1979. This ILO resolution calls for a combination of prohibitory measures and measures for humanizing child labour, wherever such labour cannot be eliminated altogether in the short run. It should also be mentioned that India is second to none in its commitment to and in the upholding of the core international labour standards such as freedom of association, collective bargaining, non-discrimination, etc. India is signatory to a record 36 ILO labour conventions.

The Child Labour (Prohibition & Regulation) Act, 1986 of India prohibits the employment of children below the age of 14 in factories, mines and in other forms of hazardous employment, and regulates the working conditions of children in other employment India has announced a National Policy of Child Labour as early as 1987, and was probably the first among the developing countries to have such a progressive policy. Through a notification dated May 26, 1993, the working conditions of children have been regulated in all employment not prohibited under the Child Labour (Prohibition and Regulation) Act. Further, following up on a preliminary notification issued on October 5, 1993, the government has also prohibited employment of children in occupations such as

abattoirs/slaughter houses, printing, cashew de-scaling and processing, and soldering.

The announcement by the Prime Minister on India's Independence Day in 1994 that child labour would be abolished in hazardous occupations by the year 2000, reflects a national consensus and commitment. After this declaration, several far-reaching initiatives have been taken by the Government to effectively tackle the problem with the setting up the National Authority for the Elimination of Child Labour (NAECL) under the chairmanship of the Labour minister, Government of India, a convergence of services and schemes for eliminating child is being achieved. The NAECL, comprising representatives from the Central Ministries, meets the need for an umbrella organisation to coordinate the efforts of the different arms of the Government for the progressive elimination of child labour.

The child labour programme in India is national in character and involves the Government of India, the governments of the States and the Union Territories of India, as well as such tripartite fora as the Indian Labour Conference and the Standing Labour Committee. A massive national and regional media campaign has been launched to sensitize society against child labour. Funds have been allocated to districts identified as child labour endemic for surveys to identify child labour, and for awareness generation programs among employers, parents and the working children themselves.

There are many significant aspects of India's constitutional and legislative provisions relating to child labour, the enforcement of these provisions, and programs being undertaken nation-wide to eliminate child labour.

India's first act on the subject was the enactment of the Children (Pledging of Labour) Act of February 1933. This was followed by the Employment of Children Act in 1938. Subsequently, twelve additional legislations were passed that progressively extended legal protection to children. Provisions relating to child labour under various enactment such as the Factories Act, the Mines Act, the Plantation Labour Act etc. have concentrated on aspects such as reducing working hours, increasing minimum wage and prohibiting employment of children in occupations and processes detrimental to their health and development.

The Child Labour (Prohibition & Regulation) Act 1986 of India was the culmination of efforts and ideas that emerged from the deliberations and recommendations of various committees on child labour. Significant among them are the National Commission on Labour (1966-69), Gurupadaswamy Committee on Child Labour (1979), and the Sanat Mehta Committee (1984).

A major activity undertaken under NCLP is the establishment of special schools to provide non-formal education, vocational training, supplementary nutrition, stipend,

health care, etc., to children withdrawn from employment. During 1999-2000 (till end of January 2000), 100 NCLPs have been sanctioned in child labour endemic States for rehabilitation of nearly 2 lakh children who were removed from work.

Rehabilitation of children working in Hazardous occupations

A major program was launched on 15th August 1994 for withdrawing child labour working in hazardous occupations and for rehabilitating them through special schools. Under the, program a total of two million children are sought to be brought out of work and put in special schools where they will be provided with education, vocational training, monthly stipends, nutrition and health checks. As a follow-up, a high powered body, the National Authority for the Elimination of Child Labour (NAECL) was constituted on 26th September, 1994 under the Chairmanship of the Minister for Labour, Government of India. The functions of NAECL are:

- to lay down policies and programs for the elimination of child labour, particularly in hazardous employment.
- to monitor the progress of the implementation of programs, projects and schemes for the elimination of child labour;
- to coordinate the implementation of child labour related projects of the various sister Ministries of the Government of India (to ensure convergence of services for the benefit of the families of child labour)

Secretaries to Government of India in the Ministries of

Labour, Information & Broadcasting, Welfare, Rural Development, Textiles and the Departments of Expenditure, Education, Health, Family Welfare and Women & Child Development are members of the National Authority for the Elimination of Child Labour. The NAECL has already met five times on October 1, 1994, November 1, 1994, January 1, 1995, July 10, 1995 and December 31, 1996.

It would be worthwhile to note the observations of the Court in the M.C. Mehta case:

"The gamut of the Convention covers the full personality of the child in every dimension. Having acceded to the said instrument, that very fact is reinforcement of the tryst of the Republic with the children of India which shall be redeemed. A constellation of legislations have been enacted and many occupations and processes have been prohibited for children. Quite a few directives have been issued to the States, particularly to abolish child labour, and the Court has been at pains to pragmatise the whole situation. The right to free and compulsory education of children has been, by Court ruling, given the status of a fundamental right. The finest investment in the future for any country to make is in nourishment, physical and mental, to babies, boys and girls."

The emergence of the judiciary as a champion of child rights is one of the most encouraging and significant

developments in recent times. The influence and role of the judiciary will be a crucial factor in sensitising the other arms of the Government on child rights and in activating the provisions of the CRC

The Constitution of India, through its Preamble, Fundamental Rights and Directive Principles of State Policy, provides for basic human rights for the people of India. In case of violations, an aggrieved person can approach a Court of Law or any competent authority such as the National Human Rights Commission, the State Human Rights Commission, etc., for redressal. The provisions of the CRC can be directly invoked before Courts, Commissions and other bodies in India. Wherever the provisions are reflected in the laws of the land, they are justiciable and any violation of these rights will lead to their restoration and to the imposition of penalties on the offending party. The CRC, in fact, has been a guiding document for several judicial pronouncements in India.

The DWCD is the nodal department in the Government for all issues pertaining to children and it is invariably consulted on all major initiatives relating to children, including amendments to existing legislation, or introduction of new legislation. This process enables the Government to reduce the possibility of any conflicts. Moreover, since the principles underlying the Convention are the same as those underlying the Constitution of

India, there is little or no likelihood of any conflict arising between the Convention and national legislation.

The National Resource Centre on Child Labour (NRCCL) was set up in March 1993 with the objective of assisting Central and State Governments, NGOs, policy makers, legislators and social groups through a variety of interventions and to develop capabilities of the target groups. The NRCCL has compiled a large documentation on child labour and is now assisting the Ministry of Labour, GOI, in the implementation of Child Labour Projects. Besides collaborating with ILO, UNICEF and various State Labour Institutes, the NRCCL has established a network with about 400 NGOs and trade unions of the purpose of assisting them in the implementation of child labour programmes.

Government's commitment

Government's commitment to addressing the problems of child labour is reflected in the National Agenda of Governance. The agenda states that the aim is to ensure that no child remains illiterate, hungry or lacks medical care, and that measures will be taken to eliminate child labour.¹

1- Annual Report, 1999-2000, Ministry of Labour, Gol, page 161)

Box 7 (i) : Employment of Children: protective legal provisions

Name of the Act	Protective provisions for children
<ul style="list-style-type: none"> • The Children (Pledging of labour) Act, 1933 	<p>Any agreement to pledge the labour of children is void.</p>
<ul style="list-style-type: none"> • The Factories Act, 1948 . • The Mines Act, 1952 • The Motor Transport Workers Act, 1961 	<p>Employment of children under 14 years of age is prohibited under these various laws.</p>
<ul style="list-style-type: none"> • The Child labour (Prohibition and Regulation) Act, 1986 	<p>Except in the process of family-based work or recognised school-based activities, children are not permitted to work in occupations concerned with:</p> <ul style="list-style-type: none"> • Passenger, goods mail transport in railway • Carpet weaving • Cinder picking, cleaning of ash pits • Cement manufacturing • Building operation construction • Cloth printing

- Dyeing, weaving
- Manufacturing of matches, explosives, fireworks.
- Catering establishment in railway premises or port limits or port units Beedi making
- Mica, cutting, splitting
- Abattoirs
- "Hazardous process" and "dangerous operations" as defined, notified in Section 2(cb) and Section 87 of the Factories Act 1948 respectively.
- Wool cleaning
- Printing, as defined in Section 2(k) of the Factories Act, 1948
- Cashew and cashewnut descaling and processing
- Soldering processes in electronic industries

	In occupations and processes other than the above mentioned, work by children is permissible only for six hours between 8.00 a.m. and 7.00 p.m. with one day's weekly rest. Occupier of establishment employing children to give notice to local inspector and maintain prescribed register.
• The Plantation Labour Act, 1951	Children/adolescents are allowed to work 27 hours a week.
• The Minimum Wages Act, 1948	Child work is not allowed during night i.e. 7.00 p.m. to 6.00 a.m. Children are permitted to work in plantation only where certificate of fitness is granted by a certifying surgeon. On completion of 15 days, leave with wages is to be allowed.

Source: Annual Report, 1999-2000, Ministry of Labour, GOI

Legislation

The present regime of laws relating to child labour have a pragmatic foundation and are consistent with the International Labour Conference Resolution of 1979 which calls for a combination of prohibitory measures and measures for humanising child labour wherever it cannot be immediately outright in the short run. (See Box 7 (i)).

Provision of education in a suitable institution for the child withdrawn from work . In a related judgement on 7th May 1999, the Supreme Court of India in a writ petition (Civil No. 12125/84 and 11643/85)-*Bandhwa Mukti Marcha*, etc. vs. Union of India and others, has also given a number of directions on the identification, release and rehabilitation of child labour. The Court, *inter alia*, directed the Government of India to convene a meeting with the State Government to evolve principles/policies for progressive elimination of employment of children below 14 years in all employment consistent with the scheme laid down in Civil Writ Petition No. 465/86. These directions were given by the Court in the context of employment of children in the carpet industries in the State of Uttar Pradesh. In this case, the Court issue the following directions to the Government of Uttar Pradesh: —

- (i) Investigate the conditions of employment of children.
- (ii) Issue such welfare directions as are appropriate for total prohibition of employment below 14 years of age.

- (iii) Provide facilities for education, health, sanitation, nutritious food, etc.

The implementation of the directions of the Supreme Court is being monitored by the Ministry of Labour and compliance of the directions reported to the Court on the basis of information received from the State/UT Governments.¹⁶ The Ministry of Labour issued guidelines to State Governments. Receipt of materials from the State Governments is monitored and affidavits filed before the Court from time to time.

Optional protocol to the Convention on the Rights of the Child

Child Rights : A struggle for Survival, Growth and Development .

Children have a right to live and to develop their full potential. The government needs to support programmes of early child-care and development. (A Human Rights Perspective)

Children are our supremely important assets. More than 27 million children are born in India every year. Despite the steady decline in birth rates and increased child survival rates. Around 3 million children under the age of 5 still die every year. Of those who survive, not all realize their full development potential or active learning capacity. To safeguard and promote children's survival growth and development, effective early childhood care is required.

A Vision for young children in the 21st Century.

The vision within the normative and ethical framework provided by the constitution of India's Directive Principles of

State policy (DPSP) and the UN convention on the of child particularly commits us to;

- Ensure the best possible start to the life of the young child- for the child's learning to learn; learning to do, learning to live together.
- A Common understanding of early child development as and entry point for India's Human Development strategy , where the vest possible start of life within a nurturing family environment is the basic foundation for the child future growth and development.
- A comprehensive child- centered approach which respect cultural pattern and diversity and which take into consideration the health, nutrition, cognitive. emotional and social needs of the child .An approach driven by the best interests of the child.
- A family focused approaches, which empower families as the first line of action in providing care an protection and encourage shared parenting and caring responsibilities.
- A Community based approach, which is locally relevant, and is conceived, planned and managed by the community. One that lead to a community-based mechanism to monitor and track child care and development especially for families and children at risk.
- A gender sensitive approach that seeks to ensure the

realization of the right of girl and women, through focused intervention across the life cycle, and especially in the early childhood.

- Create and enabling joyful learning environment for young child-in the family/ community and at childcare centers.
- Build a Flexible, locally relevant intervention that respect cultural diversity.
- Promote preventive approaches to malnutrition and disability- intervening as early as possible, across the life cycle, ensuring early childhood care for survival, growth development, protection and participation.
- Focus on the more crucial and vulnerable age group- prenatal-under 3 years period. Especially addressing children and families/ communities that are disadvantaged, especially vulnerable and at risk.
- An equity norm, which entitles every family to claim access to equity childcare intervention and support.
- Ensuring that children can realize their full potential in health, learning and earning, as respected and informal citizens, able to participate indecision which affect their lives.
- Ensuring that realization of child rights flows from, and contributes to, the growth of cohesive and inclusive societies.
- A right perspective, where in every child right to survival,

development, protection and participation are fulfilled-through new partnerships of parents, communities, civil societies and government to meet their obligations to children.

The basic strategy should be to ensure improved health and nutritional status through the "Life cycle Approach" which includes:

In the end, we believe that the government should emphasize upon bottom-up approach rather than top-down approach, focusing on local solutions using resources available in the community and builds on positive local traditions of child-care. The six- pronged strategies of the bottom-up approach are:

- Effective community mobilisation through formation of village health committee and proactive dialogue between social groups and institutions, using methods such as organise.
- Convergence and partnership between the service provides, administration and NGOs involved in implementation,
- Capacity building of child care functionaries and community, community empowerment for organising nutrition and childcare activities.
- Developing community based nutrition counseling and child care sessions,
- Bringing behavioral change through effective communication and

- Promoting gender sensitive childcare practices in families and other institutions.

We believe that an integrated approach with bottom-up strategy will be the key to work for child rights.

The most immediate consequence of child who cannot hope to grow into a healthy and creative adult. It has also wider socio economic ramifications.

If we look at the supply side of child labour, , we find that all the cause of the supply of child labour have positive feedback efforts. Poverty, for example is the primary cause of child labour, but child labour in creases adult unemployment and lowers adult wages and hence effects is iridous as it mars formation of human capital for the future labour market so that he or she will be unable to earn more as an adult. Hence any partial and segmented approach will not be effective. Developmental factors including educational measures and social security Measures must be integrated into any strategy for elimination of child labour.

The supply of based on low technology will hamper modernisation and higher productivity. The continuation of child labour is a recipe for any economy to get stuck at low wages, low productivity and low growth rates.

In this chapter we have discussed the knowledge, perception and awareness of the child labour regarding legislations, conventions etc.

Thou there are many Legislative measures, different Acts, Convention, Regulations, Policies and Projects for prevention of child labour. Their are National and International Agencies working for this social problem but they are useless untill the beneficiary is not aware. There is a need of generating awareness among masses regarding this problem, so that the laymen can understand the depth of the problem.

.. Some of the respondents agree that they should not work at small age, it is illegal but due to various causes they have indulged in economic activities. These respondents are unaware about the Government interventions, Conventions etc. They are unable to estimate the future problems cause due to Child Labour.

Table No. - 49

Table showing knowledge regarding compulsory primary education

Sl. No.	Responses	Number	Percentage
1.	Yes	149	49.70
2.	No.	36	12.00
3.	Can't Say	115	38.30
	Total	300	100.00

It is evident from the above table that 49.7 percent of the child labour have the knowledge that primary education is compulsory till the age of 14 years but in their opinion due to poverty they have to work for full time to earn their living on the other hand 38.3 percent response was can't say regarding the primary education and while 12 percent had no knowledge regarding the compulsory primary education upto the age of 14 years.

This reflects that the respondents had awareness regarding compulsory primary education. They were aware of Government policies of Education and the benefit of being educated, but poverty being the main cause of their working, they were unable to attend school.

Table No. - 50

Knowledge regarding existing Child Labour Acts/Regulations

Sl. No.	Responses	Number	Percentage
1.	Yes	8	2.70
2.	No.	44	14.70
3.	Can't Say	248	82.60
	Total	300	100.00

It is apparent from the above table that 82.60 percent respondents can't say anything regarding the existing Child Labour Acts / Regulations. 14.7 percent had no knowledge at all regarding these regulations. On the other hand only 2.7 percent respondents knew that there are some regulations which says that children below 14 years should not work but they were unaware of the details of these Acts, Regulations and Policies.

Table No. - 51

**Table showing awareness of the respondents regarding
different organizations working for prevention of child
labour**

Sl. No.	Responses	Number	Percentage
1.	Yes	0	Nil
2.	No.	40	13.30
3.	Can't Say	260	86.70
	Total	300	100.00

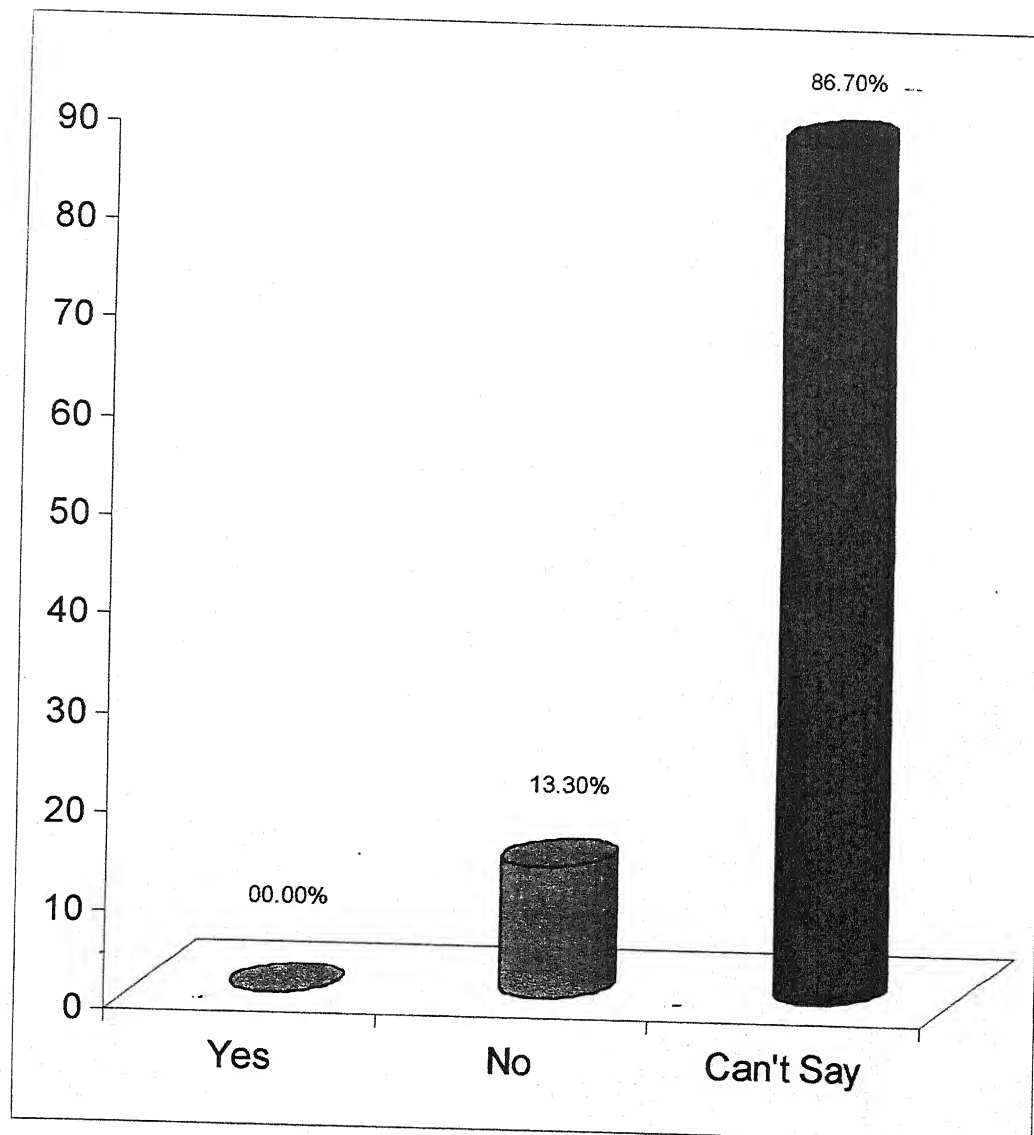
The above table reflects that 86.7 percent of the working children can't say anything regarding the organisations working for prevention of child labours that means they have no information. On the other hand 13.3 percent of the child labourers responded that there are no such organizations who work for child labours, as they have not seen or met any body of such organisations in the area. In Jhansi city there are many NGOs working but there is no organisation working particularly for prevention of child labour.

This finding can plan an important part in recommendation to State Government or Local bodies in order to work on projects or make proposals for child labour abolition in

Jhansi District of Bundelkhand region. As this area (Child labour) seems to be untouched by organisations working for removal of Social problems. This finding can act as a major suggestion.

Graph No. 16

**GRAPH SHOWING AWAREAENESS OF RESPONDENTS
RAEGARDING ORGANISATIONS WORKING FOR
PREVENTION OF CHILD LABOUR**



Chapter-VIII

CONCLUSION, SUGGESTIONS AND
RECOMMENDATIONS

Chapter-VIII

CONCLUSION,

SUGGESTIONS AND RECOMMENDATIONS

Child labour cannot be eliminated by focusing on one determinant, for example education, or by brute enforcement of child labour laws. The government of India must ensure that the needs of the poor are filled before attacking child labour. If poverty is addressed, the need for child labour will automatically diminish. No matter how hard India tries, child labour always will exist until the need for it is removed. The development of India as a nation is being hampered by child labour. Children are growing up illiterate because they have been working and not attending school. A cycle of poverty is formed and the need for child labour is reborn after every generation. India needs to address the situation by tackling the underlying causes of child labour through governmental policies and the enforcement of these policies. Only then will India succeed in the fight against child labour. Feedback from some States indicates active involvement of NGOs in awareness raising, training on CRC, and campaigning against child labour, foeticide and infanticide, sexual abuse and exploitation.

Child labour - General recommendation

- A child labour vigilance committee should be formed at *Panchayat* level, comprising local NGOs, *Panchayat* members and child representatives.
- The community, law enforcement officials, teachers and personnel involved in the child labour elimination programme need to be sensitised on child rights and protection.
- Child labour laws need to be reviewed to bring domestic child labour within their ambit.
- It is necessary to carry out community and civil society sensitisation and mobilisation for the prevention and elimination of child labour.
- There is a need to do a comprehensive review of the implementation of the Supreme Court judgment of 1996. Comprehensive and clear guidelines for the implementation of the judgement are required.
- In child labour-intensive districts, employment opportunities for adults have to be stepped up. Families living below the poverty line should be attached to self help groups or other income-generating schemes so that they can improve their economic situation.

- There should be a separate policy for providing social security and services of education, and health to the children of families below the poverty line. Existing poverty alleviation programmes and adult employment schemes have to be coordinated and linked to efforts for the elimination of child labour.
- Good parenting and child care and protection education must be given to parents, teachers and staff of childcare institutions.
- Families are the primary care providers for children and the capacity of families for care and protection of children has to be strengthened, especially of families in the most marginalised groups.
- Mechanisms for complaints from child victims must be set up to prevent child abuse,
- protect children and to ensure proper action against the culprits.

CONCLUSION

Present work was carried out in Jhansi District of Uttar Pradesh which also falls under Bundelkhand Region to investigate some of the socio-demographic characteristics, socio-economic, psychological factors, various issues related to child labour, forms of exploitation and Knowledge and perception of respondents about legislations related to prevention of child labour.

Out of 650 (approximately) child labours (According to Labour Office, Jhansi District, 2002) in Jhansi, 300 respondents were selected by Simple Random Sampling, Respondents were selected on availability basis from different areas of child labour like from beedi makers, shops and establishments, road side vendors and hawkers. Every respondent having similar socio-economic characteristics. Due to constraints of time, money and other resources it was not possible for the investigator to study a large sample.

This study was formulated to investigate "Problem of Child Labour in Urban Area of Jhansi, U.P." Child Labour is of important Social Concern, Children start working at a very young age. These children are exposed to various forms of exploitation. They are exposed to risk at work. Involving children in work at an early age affects their health and also prevents

them from pursuing their studies. This has an adverse effect on their growth and earning at a later stage of life. The past and present situation of problem of child labour depends on individual, family, community and society. Socio-economic and psychological factors leads to problem of child labour.

Child workers are particularly vulnerable to exploitation because they have very little to say in choosing their occupations or deciding their working conditions. They have no rights as workers, nor can they join labour unions. Consequently they work for petty wages in deplorable conditions.

The main focus of the study is to examine the socio-economic background of families in terms of family size, literacy level, occupational pattern, income levels. The background of child labour, the characteristics of working children, i.e. age, education, training, working condition, wage rate, health condition and attitude and perception of working children towards work and various legislations about child welfare and rights have been analysed.

Major findings of the study are given as under :-

(I) *Socio-demographic features of respondents -*

Majority of 197 respondents (65.7%) were in the age group of 11-14 years whereas 34.3% were in the age group of 5-10 years. In total study of 300 child labours, (67.0%) were male and (33.0%) were female child labours.

Majority of 251 respondents (83.7%) were Hindus, (16.3%) were Muslims.

The study has found the literacy level of sample population very low. Majority (50.4%) of respondents were literate, (36.3%) of respondents were illiterate. (13.3%) of respondents were upto primary level.

Majority of 211 respondents (70.3%) have 5-8 members in the family, (17.0%) of respondents have 1-4 members followed by (12.7%) have 9 and above members in the family

(48.3%) of the child labour were residing in rented house, (43.0%) of respondent have their own house (i.e. owned by their parents). Their houses were kuccha pucca type, there was no separate facility of kitchen and bathroom (8.7%) of respondents were unaware of the residential status.

Majority of 202 (67.3%) of respondents reside in the room tenement followed by (28.7%) lived in two room house and (4.0%) in more than 2 rooms house. Housing condition was poor from the points of health and hygiene.

(63.3%) of respondent's family members were working as servant at different shops, houses. (27.7%) of respondents parents were self-employed like they were painters, carpenters, puncture makers, vendors etc. (7.0%) were unaware of the family occupation and (2.0%) of respondent's family was involved in agricultural activities.

Majority (36.7%) of respondents father and mother both were working. (35.7%) of respondent's father was the working

member, (16.6%) respondent's all family members work, (8.7) respondent mother was the working member and (2.3 %) respondents revealed that nobody in family worked except himself/herself.

Majority of 149 respondents (49.7%) don't know the family income. (41.7%) monthly income was between Rs. 1001- Rs. 3000 per month. (5.3%) were from income group between Rs. 3001-Rs. 5000 per month. Rest (3.3%) monthly income were less than Rs. 1000/- per month or below poverty line. This low level of income has forced many children to discontinue their education. (54.3%) of respondents go market for purchasing of household items, these mainly include male children (25.3%) wash clothes at home (15.3%) clean utensils (10.7%) of child labours sweep house and look after siblings respectively and (9.7%) cook food, which mainly performed by female children.

(94.0%) child labours primary needs were fulfilled by the family i.e. shelter, clothing and food. (82.7%) receives health facility and (8.7%) of respondents need of education is fulfilled.

(II) Issues Regarding Child Labour

Majority 194 respondents (64.7%) have attended the school, not necessarily completed primary education (35.3%) respondents have never attended the school nor seen the school in their life.

Out of 194 respondents, (9.28%) still go to school majority 176 respondents (90.72%) were school drop outs.

Out of 176 respondents who were school drop-out have many reasons. Majority 59 respondents (33.52%) parents were not willing to send them to school, (23.9%) of respondents dislike studies (20.45%) have other reasons (18.8%) have interest in work and (3.4%) unable to pay fee.

Majority 230 respondents (76.7%) played with their friends and siblings and (23.3%) have no time to play (71.7%) of respondents get pocket money to spend on themselves and (28.3%) do not receive any pocket money.

Out of 215 respondent i.e. (71.7%) who get pocket money (63.7%) get money between Rs.1-Rs. 5/-, (32.6%) between Rs. 6-10 and (3.7%) between Rs. 11-15.

The majority of respondents (72.7%) started working between 5-10 years of age due to various reasons/ factors. Majority of child labours (33.3%) were engaged in Bidi making, this is a traditional employment where all family members are involved, including child labour. This trade is being carried out from homes. Raw material is given by the employer for home, bidi workers make the final product and deliver it to their employers. (24.6%) child labours were engaged in electrical/ mechanical work like auto repairing, truck repairing, electrical appliances repairing, etc. (14%) respondents were engaged in different works like sweeping, rag picking, shoe-shining, They were cobblers, engaged in shops of clothes, shoes, confectionary, tailors etc. (12.7%) respondents worked at tea stalls and sweet

shops (8.7%), respondents were vendors and (6.7%) were engaged in domestic work.

Majority (92.7%) of respondents gave their earnings to their family or parents. Most of the employers give wages of child labour directly to their parents.

Before starting the work (74.7%) of respondents were trained by the employer, trainers and family members depending upon the type of work. Their training was on-the-job training. They were not sent especially for training.

Majority 167 respondents (55.7%) take meals three times a day. (17.2%) respondents get food/eatables sometimes from their employer at work place.

(55.3%) respondents feel normal while working, (27.7%) respondents enjoy working because they dislike studies (13.3%) respondents dislike working but due to circumstances they have to work.

(36%) respondents opined that both education and work is important because they live below poverty line. For (31.7%) respondents work is only important because they contribute major share in family income.

Majority (80%) respondents believes that starting work at small age provides experience for future.

Most of the respondents (66.7%) felt that they were satisfied and (15%) respondents were highly satisfied with their job. These respondents were unaware of their right and working

conditions, Majority (57.1%) were satisfied due to the kind of work they were engaged in. (7.7%) were dissatisfied and (6%) respondents were highly dissatisfied. Majority (39%) respondents were dissatisfied due to poor working environment i.e. improper lightening improper cleanliness, no place for sitting or resting, and lack of toilet facilities

Majority 181 respondents (60.3%) wish to continue their present job, due to various reasons. Majority (55.2%) like to continue because their family income is low i.e. due to poverty.

(19%) respondents wish to leave the present job due to various reasons. Majority (45.6%) respondents want to leave the job because they have interest in studies, present job is of very tedious nature, long working hours make them tired like to change the job.

(III) Factor Responsible for Child Labour

There are three factors responsible for child labour i. e. Social factors, Economical factors and Psychological factors.

Social Factors- (52%) respondents believes that lack of education/illiteracy is a factor which give birth to child labour. (39.3%) respondents opined that due to orphanage they have to indulge in child labour (37%) respondents think that indebttness of parents compelled them to work at small age.

Economical Factors- Poverty is the biggest cause which supplies child labour to the society. Majority 240 respondents (80%) gave the cause poverty due to which they have to work

being a child (76.7%) respondents opined that due to family occupation they were working (67.3%) respondents have to work due to large family size. Monthly income of the family is low so they can't fulfill their primary needs i.e. food, clothing and shelter. Such families involved their children in work.

Psychological Factors-Majority (73%) respondents were working because of compulsion of parents due to various reasons (8.3%) respondents have some sense of responsibilities which they have to fulfill being in the family. (8.3%) respondents engaged themselves in child labour because of the effect of substance abuse in the family. Basic requirements of the family was fulfilled by the child labour.

(IV) Forms Of Exploitation

Majority of child labours (54.7%) work for 5-7 hours a day and (37.3%) of respondents work for 8 to 10 hours daily while (8%) respondents work for 1-4 hours only. They work as part time workers in evening.

Another fact which emerges from the study is that most of the children are made to work long hours.

(84%) child labour monthly wages are between Rs. 401- Rs. 600 (11%) respondents wages are between Rs. 201 Rs. 400 while (5%) respondents monthly wages are below Rs. 200.

(74.3%) respondents never take rest between working hours Majority (65.3%) respondents sleeping habits are normal. They were adhered to the working culture so they have adapted the sleeping habits accordingly.

Majority 244 respondents (81.3%) have no expectations from the employer as they are unaware about their rights, and some know that there is no need to expect anything because it will never be fulfilled, they work with feeling of job insecurity. Child labour are not demanding, they cannot form any union.

Job insecurity is the biggest problem faced by the majority of (90.7%) respondents (53.3%) respondents work for long hours with out interval of rest get exhausted and face the problem of exertion/ fatigue. (42%) respondents face the problem of irregular payments and sometimes their wages are also deducted on making mistakes (any damage which include cost) or taking leaves (27.3%) respondents were physically tortured on making mistakes.

(51.3%) respondents get a day as weekly holiday (48.7%) respondents get no weekly holiday, they cannot demand for leaves because of kind of work they perform.

Only (7.7%) respondents faced accident during the job at work place. Majority (43.5%) respondents fingers/toes were affected and (34.8%) respondents hands were affected. (95.7%) respondents got the treatment in the form of first aid from the employer

Majority 155 respondents (51.7%) employers were strict towards child labour. They punish the respondents on making mistakes. On the other hand (40.3%) respondents employers were caring/ supportive.

(V) Perception Of The Respondents Regarding Child Labour Legislations

(49.7%) respondents were aware of compulsory primary education till the age of 14 years. But most of them were drop-outs and were engaged in economic activities (38.3%) respondents have no idea about compulsory education.

Majority (82.6%) respondents cant say anything regarding the existing Acts/ Regulations for prevention of child labour (14.7%) respondents were unaware of such legislation while (2.7%) respondents have little knowledge that children below 14 years should not work other details concerning child labour in these Act. was out of their knowledge.

Majority 260 respondents (86.7%) were unaware regarding the different organisations (NGOs) working for prevention of child labour. As such there are no NGOs working specifically in this area of social problem.

SUGGESTIONS AND RECOMMENDATIONS

- 1- The Child Labour (Prohibition & Regulation) Act, 1986 must be strictly implemented. The conditions of work including hours of work and wages need to be strictly monitored whether at home or outside home.
- 2- Anti-Poverty programme like, Jawahar Rozgar Yojna, etc. should be implemented in the area and families " at- risk" should receive top priority in the allotment of funds under such pogrammes. These programmes should have families of child labour as special target groups and special allotment of funds should be made for these groups. So employment among child labour can be minimised.
- 3(a) A system of constant monitoring of health and education of working children needs to be developed by the government for the benefit of working children.
- (b) In order to improve the health care and medical facilities for the child labour and their families, efforts should be made to integrate health services run by different departments like the state health machinery, District health machinery at the field level.
- 4- State Government or local bodies should formulate projects or make proposals for abolition of Child Labour in Jhansi District, as no such projects are being implemented in this area.

- 5- For overall monitoring of programmes of child labour, a committee should be constituted at the District level with participation of Education Department, NGOs, Research and Academic Institutions, ICDS and Social workers.
- 6- There should be Evening Schools for those who have to work due to unavoidable circumstances, so that they do not keep themselves refrained from seeking education.
- 7- If we cannot fully abolish the practice of child labour we can reduce the incidence of child labour. To improve the lot of working children, children should be subjected to less hours of work than at presents. Schools should also take up part-time teaching programmes for working children so that, with reduced hours of work and part-time study, they could be educated while at work.
- 8- Special vocational schools should be opened for providing training in both general education and a vocation where the child may enroll himself herself from the age of 7 to 14 years.
- 9- Additional nutrition like mid-day meals should be provided at the work-site either by the employers or by the state of schools could undertake programme for providing children nutritious diets, it may attract them to the schools all the more.

- 10- The role of voluntary agencies in the upliftment programme for child workers cannot be undermined. Apart from voluntary health service and non-formal education facilities, they can create general awareness among the public on the evils of child labours through discussions, lectures, audio-visual aids, street plays etc.
- 11- A massive awareness campaign should be launched through the public media, social activities and other related agencies to create awareness amongst all sections of society about the evils of child labour. The main target for communications should be existing prejudices, taboos, traditions and beliefs which perpetuate child labour.
- 12- NGOs should be entrusted with identification of the child labour concentration areas. Better co-ordination between Government and non-Government agencies for anti-poverty and education programmes can give good results in the eradication of the child labour problems.
- 13- Periodical evaluation of the programmes and NGOs must be undertaken. A regular monitoring of implementation and expenditure on these programme should be undertaken.
- 14- All NGOs working for child labour should be utilized in doing special studies on child labour and they must be

entrusted with the programmes for child labour and their families.

Efforts should be to curb the practice of child labour because this is the age when child needs care and affection, education for proper development and growth of his/her personality.

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GLOSSARY

- | | | | |
|-----|--------|---|---|
| 1- | GOI | - | Government of India. |
| 2- | NGO | - | Non-Government Organisation. |
| 3- | ILO | - | International Labour organisation. |
| 4- | VVGNI | - | V.V. Giri National Labour Institute. |
| 5- | CRC | - | Convention on the Rights of the Child. |
| 6- | NRCCL | - | National Resource Centre on Child Labour. |
| 7- | NCLP | - | National Child Labour Projects. |
| 8- | UNICEF | - | United National International Children Education Fund. |
| 9- | IPEC | - | International Programme on Elimination of Child Labour. |
| 10- | CACL | - | Campaign Against Child Labour. |
| 11- | DWCD | - | Department of Women and Child Development. |
| 12- | ICDS | - | Integrated Child Development Scheme. |
| 13- | SACCS | - | South Asian Coalition of Child Servitude. |
| 14- | NNP | - | National Nutrition Policy. |

INTERVIEW SCHEDULE

**DR. B.R. AMBEDKAR INSTITUTE OF SOCIAL SCIENCE
BUNDELKHAND UNIVERSITY, JHANSI**

**Problem of Child Labour In Urban Area of Jhansi (U.P.)
Ph.D. INTERVIEW SCHEDULE**

Sl. No.

- 1- Name of the respondent
- 2- Age : (a) 5-10 years ☐ (b) 11-14 yrs ☐
- 3- Sex : (a) Male ☐ (b) Female ☐
- 4- Address of the respondent :
- 5- Father's Name :
- 6- Religion

(a) Hindu <input type="checkbox"/>	(d) Sikh <input type="checkbox"/>
(b) Muslim <input type="checkbox"/>	(e) Christian <input type="checkbox"/>
- 7- Educational Background

(a) Illiterate <input type="checkbox"/>	(b) Literate <input type="checkbox"/>
(c) Primary <input type="checkbox"/>	
- 8- No. of family members -

(a) 1-4 <input type="checkbox"/>	(b) 5-8 <input type="checkbox"/>
(c) 9 and above <input type="checkbox"/>	
- 9- Type of house-

(a) Rented <input type="checkbox"/>	(b) Own <input type="checkbox"/>
(c) Unaware <input type="checkbox"/>	
- 10- No. of Rooms in the house

(a) One <input type="checkbox"/>	(b) Two <input type="checkbox"/>
(c) More than two <input type="checkbox"/>	
- 11- Main occupation of the family

(a) Agriculture <input type="checkbox"/>	(b) Servant <input type="checkbox"/>
(c) Self Employed <input type="checkbox"/>	(d) Unaware <input type="checkbox"/>
- 12- Who all work in you family, Except you?

(a) Father <input type="checkbox"/>	(b) Mother <input type="checkbox"/>
(c) Mother & Father <input type="checkbox"/>	(d) Brother & Sister <input type="checkbox"/>
(e) All <input type="checkbox"/>	(f) No Body <input type="checkbox"/>
- 13- Total income of the family (per month)

(a) Below Rs. 1000 <input type="checkbox"/>	(b) Rs. 1001-3000 <input type="checkbox"/>
(c) Rs. 3001-5000 <input type="checkbox"/>	(d) Unaware <input type="checkbox"/>
- 14- What other work you have to do at home?

(a) Cooking <input type="checkbox"/>	
(b) Cleaning utensils <input type="checkbox"/>	
(c) Cleaning of house (Sweeping) <input type="checkbox"/>	
(d) Washing clothes <input type="checkbox"/>	

- (e) Purchasing of items ☐
- (f) Look after Siblings ☐
- (g) Any other ☐

15- Which needs are fulfilled by your family?

- | | Yes | No |
|--------------------|--------------------------|--------------------------|
| (a) Shelter | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Clothing | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Food | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Education | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Health/Medical | <input type="checkbox"/> | <input type="checkbox"/> |

16- Have you ever attended the school?

- (a) Yes ☐ (b) No ☐

17- Do you still go to the school?

- (a) Yes ☐ (b) No ☐

18- If no, give reasons :-

- | | | | |
|----------------------|--------------------------|-------------------------|--------------------------|
| (a) Dislike studies | <input type="checkbox"/> | (b) Parents not willing | <input type="checkbox"/> |
| (c) Interest in work | <input type="checkbox"/> | (d) Unable to pay fees | <input type="checkbox"/> |
| (e) Any other | <input type="checkbox"/> | | |

19- Do you go for playing with friends?

- (a) Yes ☐ (b) No ☐

20- Do you ever get pocket money?

- (a) Yes ☐ (b) No ☐

21- If yes, how much?

- (a) Rs. 1-5 ☐ (b) Rs. 6-10 ☐ (c) Rs. 10-15 ☐

22- In your opinion, which social factors are responsible for child labour?

- | | Yes | No | Can't Say |
|----------------------------------|--------------------------|--------------------------|--------------------------|
| (a) Effect of Education/Literacy | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Effect of Indebtness | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Effect of orphanage | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

23- In your opinion, which economics factors are responsible for child labour?

- | | Yes | No | Can't Say |
|---------------------------------|--------------------------|--------------------------|--------------------------|
| (a) Effect of Poverty | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Effect of Family occupation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Effect of Family size | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

24- In your opinion, which psychological factors are responsible for child labour?

- | | Yes | No | Can't Say |
|---|--------------------------|--------------------------|--------------------------|
| (a) Effect of compulsion of parents | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Effect of sense of responsibilities | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Effect of substance abuse | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- 25- How you feel while working?
 (a) Enjoy working ☐ (b) Normal Feeling ☐
 (c) Dislike work ☐ (d) Can't say ☐
- 26- At what age you started working?
 (a) 5 to 10 years. ☐ (b) 11 to 14 years. ☐
- 27- What type of work you do at present?
 (a) Domestic ☐ (b) Factory / Beedi making ☐
 (c) Tea/Sweet Shops ☐ (d) Electrical / Mechanical Work ☐
 (e) Vendor ☐ (f) Any other ☐
- 28- How many hours do you work ?
 (a) 1-4 hours ☐ (b) 5-7 hours ☐
 (c) 8-10 hours ☐
- 29- What wages you get per month?
 (a) Below Rs. 200. ☐ (b) Rs. 201- Rs. 400 ☐
 (c) Rs. 401 - Rs. 600 ☐
- 30- What are the areas where you spend your wages?
 (a) Food/Eatable ☐ (b) Clothing ☐
 (c) Friends ☐ (d) Entertainment ☐
 (e) Family ☐ (f) Any habit ☐
 (g) Any other ☐
- 31- Before starting the work have you undergone any kind of training/
 (a) Yes ☐ (b) No ☐
- 32- If yes, who provided the training?
 (a) Employer ☐ (b) Family Member ☐
 (c) Trained by trainer ☐
- 33- How many times you take your meals?
 (a) Once ☐ (b) Twice ☐
 (c) Thrice ☐ (d) Irregular ☐
- 34- Do you get something to eat at work place by your employer?
 (a) Always ☐ (b) Sometimes ☐
 (c) Never ☐
- 35- Do you get time to take rest in the after noon?
 (a) Always ☐ (b) Sometimes ☐
 (c) Never ☐
- 36- Due to the job, do you have any kind of sleeping disorder
 (a) Wake up very early in morning ☐
 (b) Can't sleep at night ☐
 (c) Keeps on changing ☐
 (d) Normal ☐
- 37- What problems do you face during job? Yes No
 (a) Irregular payment ☐ ☐
 (b) No fixed working hours ☐ ☐

- (c) Exertion/Fatigue ☐ ☐
- (d) Job insecurity ☐ ☐
- 38- Do your employer physically torture you for any reason?
- (a) Always ☐ (b) Sometimes ☐
- (c) Never ☐
- 39- For what reasons?
- | | Yes | No |
|----------------------------|--------------------------|--------------------------|
| (a) On coming rate | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) On refusing any work | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) On making mistakes | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Taking rest in between | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Taking leave | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) Any other | <input type="checkbox"/> | <input type="checkbox"/> |
- 40- How many leaves do you get in a weak?
- (a) One ☐ (b) Two ☐ (c) None ☐
- 41- Have you faced any accident during the job?
- (a) Yes ☐ (b) No ☐
- 42- If yes dose that affected any of your body part?
- | | | | |
|-----------|--------------------------|------------------|--------------------------|
| (a) Leg | <input type="checkbox"/> | (b) Hand | <input type="checkbox"/> |
| (c) Lungs | <input type="checkbox"/> | (d) Eyes | <input type="checkbox"/> |
| (e) Ears | <input type="checkbox"/> | (f) Fingers/Toes | <input type="checkbox"/> |
| (g) Skin | <input type="checkbox"/> | | |
- 43- For this accident did you get any compensation or treatment from the employer?.
- (a) Yes ☐ (b) No ☐
- 44- What is the behaviour of you employer?
- (a) Rude / Harsh (b) Strict (c) Caring / Supporting
- 45- What do you expect from your employer?
- | | Yes | No |
|--------------------------------|--------------------------|--------------------------|
| (a) Increase in wages | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Provision of food | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Leaves with wages | <input type="checkbox"/> | <input type="checkbox"/> |
| (d) Intrvel for rest | <input type="checkbox"/> | <input type="checkbox"/> |
| (e) Friendly and cooperatively | <input type="checkbox"/> | <input type="checkbox"/> |
| (f) Nothing | <input type="checkbox"/> | <input type="checkbox"/> |
- 46- What is level of job satisfaction?
- (a) Highly Satisfied ☐ (b) Satisfied ☐
- (c) Highly Dissatisfied ☐ (d) Dissatisfied ☐
- (e) Undecided
- 47- Give reason :-
- | | Yes | No |
|------------------------|--------------------------|--------------------------|
| (a) Good Employer | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Satisfactory wages | <input type="checkbox"/> | <input type="checkbox"/> |

- (c) Conducive working environment ☐ ☐
- (d) Kind of work ☐ ☐
- (e) Any other ☐ ☐
- 48- What do you think regarding the job?
- (a) Wish to continue ☐
- (b) Wish to leave ☐
- (c) Can't say ☐
- 49- If wish to continue, give reasons :-
- (a) Employer is good ☐
- (b) Satisfactory wages ☐
- (c) Interest in work ☐
- (d) Low family income ☐
- (e) Any other ☐
- 50- If wish to leave, give reasons
- (a) Employer not good ☐
- (b) Unsatisfactory wages ☐
- (c) Disinterest in work ☐
- (d) Any other ☐
- 51- In your opinion, what do you think what is important at your age?
- (a) School/Education ☐
- (b) Work ☐
- (c) Both School & Work ☐
- (d) Can't say ☐
- 52- Do you know that primary education is far & compulsory for children upto 14 year of age ?
- (a) Yes ☐ (b) No ☐ (c) Can't Say ☐
- 53- Do you think working from small age gives you experience which help in future.
- (a) Yes ☐ (b) No ☐ (c) Can't Say ☐
- 54- Do you know there are Acts/Regulations which says that childrer. should not work.
- (a) Yes ☐ (b) No ☐ (c) Can't Say ☐
- 55- Do you know that children below 14 years should not work?
- (a) Yes ☐ (b) No ☐ (c) Can't Say ☐
- 56- Do you know that there are various organisation working for prevention of child labour?
- (a) Yes ☐ (b) No ☐ (c) Can't Say ☐

Place : Jhansi

Date :



Researcher : Payal Sahu